

# Towards inclusive service delivery through social investment in the EU

## The case of housing

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## Executive summary

This report provides a qualitative overview of changes in social investment in housing in eight RE-InVEST EU-jurisdictions: Belgium, England and Scotland (in Great Britain), Ireland, Italy, Portugal, Romania and the Netherlands. Each country study analyses existing market regulations in relation to the human rights and capabilities in the basic service sector, which is the focus in this report: housing services. Whether the recent developments impacting on housing services as capability can be considered a social (dis)investment in capabilities and human rights is of key concern.

Human rights are considered as a cluster of rights; the right to decent housing implying the right to sufficient quality housing: including the following dimensions: decent technical and comfort, decent access to local services and work, decent legal dimension. Each cluster of rights will be associated with a different price/rent. Holding household income constant, implies different impacts on housing affordability.

EU-SILC data show that population that is living in at-market-price rental housing, or whose income is lower than the at-risk-of-poverty line, or is (severely) materially deprived, scores worse on diverse housing indicators, such as indicators of housing affordability. Furthermore, those at risk of poverty are relatively more likely to be tenants than owner-occupiers. Their share on average is larger in 2016 than in 2008. Furthermore, housing costs push a larger share of the population into the at-risk-of-poverty group based on income after housing costs. Last, but not least, a larger share of young adults (25-34) are living with their parents in 2016 than in 2008.

Given these access indicators, marketisation trends, such as a rising market share of private renting, are likely to produce worse equity outcomes in the future, *ceteris paribus*. If these private housing options offer less secure in tenure than those in other tenures, this will add an extra socio-psychological layer to the deprivation that the occupiers are undergoing. From a consumer choice perspective and a policy perspective, making private renting a full-fledge housing option (for certain households), will require balancing the interests of suppliers and consumers.

Taking human rights and capabilities as a starting point, Bonvin and Laruffa (2017) propose a new welfare arrangement, a *‘capacitating welfare state’*. In this welfare state social investment empowers individuals in the doer, receiver and judge dimensions of capabilities to participate in achieving effective human rights allowing to focus on deprivation as a multidimensional framework of receivers lacking resources, doers lacking opportunity to act and judges lacking opportunity to voice and aspire. Any of these dimensions indicate a lack of real freedom to choose.

In a capacitating welfare state the individual’s definition of a valued life must be leading for policy intervention. The Irish case study shows the usefulness of knowledge merging about the impact of marketisation of housing policy on the rights and capabilities of disadvantaged lone parent families. The research suggests also that just involving disadvantaged groups in policy dialogue is insufficient to actually address the power inequalities surrounding structural social exclusion. In order to enhance the rights and capabilities of such groups requires more ongoing capacity support through longer term Participatory Action Research approaches such as PAHRCA that was implemented in RE-InVEST.

Guidance to all actors concerned for such intervention offers the ‘normal’ public policy management cycle. The cycle would steer the process based on problem signalling in the mechanisms at work and how ‘more desirable’ outcomes can be achieved. Monitoring the achievements based on context-bound indicators such as vacancy rates, waiting lists, and homelessness, would feed the policy management cycle.

The Dutch case study shows that the capability approach in its anthropological meaning may have added value as an evaluation tool for unravelling dimensions of human wellbeing as defined by themselves. This definition allows moving towards a more complete understanding of what it is an individual is lacking in his/her capability set. Options to strengthen the individual's capability set would not only include state support to the individual as receiver, but would also strengthen the individual's action options as doer, as well as the realisation options of the capability to voice and aspire as judge.

As a result, some of the solutions to housing problems will be more in the hand of the individual(s) than may be expected from a government focusing only on the receiver. This argument starts from a positive point of view: different types of deprivation can be tackled in different ways in order to strengthen the capability set of the individual. And strengthening those for housing will provide opportunities in other areas of social policies.

The concluding chapter (Chapter 4) contains a summary of these theoretical insights, as well as some general principles for policy intervention and recommendations. The concluding discussion about moving towards social investment in the field of housing is organised along four headings: governance, legislation, funding and policies.

Preferred measures will maximise the long-term individual and societal benefits in line with the principles derived from the capacitating welfare state, starting from the life fulfilment that people value. Stimulating the receiver, doer and the judge dimensions of the capabilities, where deemed valued, combined with a strong right to housing will maximise the inclusiveness of housing services for disadvantaged households.

# Preface

This housing service sector study is part of the RE-InVEST project. RE-InVEST stands for ‘Rebuilding an Inclusive, Value-based Europe of Solidarity and Trust through Social Investments’<sup>1</sup> and is financed by the European Horizon 2020 programme under Euro 3 Europe after the Crisis. RE-InVEST’s objective is to contribute to a more social and inclusive Europe based on solidarity and trust by social investment in the capabilities and human rights of the citizens of the European Union.

Twelve Member States (13 jurisdictions)<sup>2</sup> of the European Union are cooperating in RE-InVEST. NGOs and universities joined forces to offer a forum for the experiences of disadvantaged households and stakeholders. To facilitate the exchange in experiences, we implemented a participative methodology.

Starting point for setting up this study in RE-InVEST's Workpackage 6<sup>3</sup> was the launch of the Social Investment Package by the European Commission (2013a), which aims for social investment to contribute to the realisation of the 2020-targets.

In the first part of this study, eight jurisdictions carried out a ‘national’ study analysing existing market regulations in relation to minimum standards reflecting the human rights and capability approach in five types of basic service sectors, including housing. Whether the recent developments impacting on these minimum standards and can be considered a social (dis)investment in capabilities and human rights was of key concern.

The present report provides the synthesis of the developments in the housing service sector in the eight in Workpackage 6 participating jurisdictions<sup>4</sup> complemented with wider developments on the housing markets of the European Union (EU).

Having come to the end of RE-InVEST Workpackage 6, we would like to express our gratitude to all our participants! First, we would like to thank our disadvantaged participants for sharing their experiences with life in coping with precarious financial circumstances. We also thank all our other participants for sharing their experiences with helping disadvantaged households to develop their opportunities that allow for choosing to lead the life that we have reason to value (Sen, 1999).

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<sup>1</sup> <http://www.re-invest.eu/project/objectives>

<sup>2</sup> <http://www.re-invest.eu/about-us/the-different-partners>

<sup>3</sup> <http://www.re-invest.eu/workpackages/wp6>

<sup>4</sup> <http://www.re-invest.eu/documents/reports>. More (background) information is provided in these reports compared to the information in this report.

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# Introduction

This report is part of the RE-InVEST research project. RE-InVEST, as acronym for ‘Rebuilding an Inclusive, Value-based Europe of Solidarity and Trust through Social Investments’,<sup>5</sup> is financed by the European Horizon 2020 programme under Euro 3 Europe after the Crisis. Its objective is to contribute to a more social and inclusive Europe based on solidarity and trust by social investments in the capabilities and human rights of the citizens of the European Union.

In the RE-InVEST team, we are cooperating with 12 Member States (13 jurisdictions). NGOs and universities have joined forces to offer a forum for the experiences of disadvantaged households and other actors that are involved. To facilitate the exchange in experiences, we implement a participative methodology, which uses as its main ingredients group meetings with disadvantaged people.

Starting point for setting up this study was the European Commission’s (2013a) launch of the Social Investment Package, which aims for social investments to contribute to the 2020-targets. Eight of the 13 jurisdictions carried out a ‘national’ study for RE-InVEST’s Workpackage 6. Each study analysed existing market regulations in relation to minimum standards reflecting the human rights and capability approach in five types of basic service sectors: early childhood education and care, health care, housing, water and financial services.

This report draws on the reports of the eight jurisdictions’ analyses of the five service sectors and focuses on the operation of one basic service sector, e.g. housing services. Whether the recent developments in these minimum standards can be considered a social investment or disinvestment in the social right to housing and the capability set of housing opportunities is of key concern.

The analyses of the impact of social investment in housing is presented in five chapters.

Chapter 1 presents the theoretical concepts capabilities, human rights and social investment and proceeds to relate these terms to the housing services market. It proposes the argument why housing services are a logic candidate for social investment, what the return on investment could be, and why housing is such a complex services as it encompasses investment and consumption, thus commercial and social dimensions, which do not always or rather which often do not go hand in hand.

Chapter 2 outlines the European policy framework, while Chapter 3 presents some basic information on housing markets in the European Union (EU), recent trends and housing market outcomes. Chapter 4 concludes.

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5 See Preface for the different links to the RE-InVEST website.



# 1. Framework of the study

The Social Investment Package (SIP), which the European Commission (European Commission, 2013a) launched in 2013, aims to facilitate the reform of welfare states in order to achieve Europe's 2020 targets (see also Sabato, 2016). Approaching from a life course perspective, social investments encompass social services and are to further economic progress (Bouget et al., 2016). As RE-InVEST aims to study social investment from the perspective of including disadvantaged citizens, we aim to unravel the institutional and empirical underpinnings of social investments by an enhanced understanding of capabilities and human rights. This chapter frames these concepts (Section 1.1) and relates them to housing (Sections 1.2 to 1.4).

## 1.1 Theoretical concepts introduced: capabilities, human rights and social investment

*Capabilities* refer to the opportunities or freedoms of persons to opt for specific forms of functioning – beings or doings– formulating a person's wellbeing based on a person's resources (Sen, 1999; Robeyns, 2005; Vizard and Burchard, 2007; Nussbaum, 2011). Or more broadly, they are defined as *'the real freedom to lead the kind of life people have reasons to value'* (Sen, 1999: 18; Bonvin and Laruffa, 1917a: 6). For the realisation of the choice opportunities in valued functionings, capabilities need the input of resources and conversion factors (Figure 1.1). Resources refer to the material aid a person can mobilise (income, goods/services). Personal conversion factors, (i.e., skills), and social conversion factors (i.e., social norms and institutions), are needed to achieve wellbeing.

To unravel the multidimensional nature of opportunities to choose the valued life, a helpful analytical tool is the anthropological conception of the capabilities, which Bonvin and Laruffa (2017) propose. It allows for qualitatively unravelling the multi-dimensional and dynamic aspects of capabilities of an individual into three dimensions or roles. Each role sheds light on different facets of the capabilities.

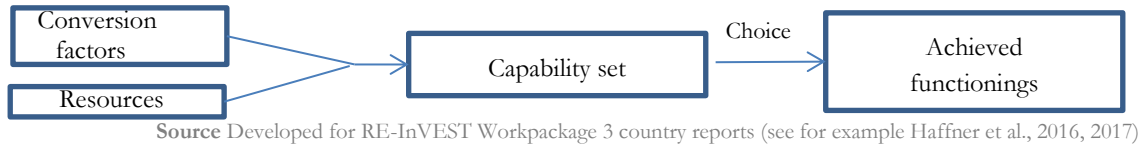
The *doer* is the role in which an individual can act to strengthen his or her capability set, to convert resources into wellbeing, while as *receiver*, the individual needs financial or other help (support and care) in realising the freedoms to choose. The role of the *judge* or *evaluator* is called the *'capability for voice'* and combines the individual's ability to formulate evaluations/opinions/aspirations with the ability to build support/acceptance/consensus in order to achieve the realisation of the aspirations.

Each of the roles is associated with a different type of deprivation in opportunities to choose for the life that one values (Bonvin and Laruffa, 2017: 9-10). Being deprived as a *doer* implies a lack of opportunity to act, also called a *'lack of opportunity for action/agency'*. Deprivation for the *receiver* implies a lack of material resources. The *judge* will be confronted with a *'lack of capacity to aspire and [or] lack of recognition'*, if an evaluation cannot be formulated nor support be built. Reducing any of these types of disadvantage, will strengthen an individual's capability set.

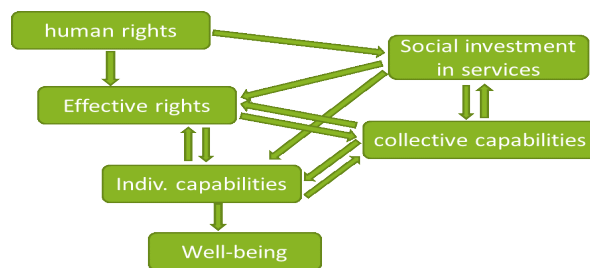
**Human rights** embody the universal values for wellbeing and a good life; they are also referred to as fundamental, basic or social rights (Nicaise et al., 2017). Bengtsson (2001) proposes two formulations of human rights. A human right could either be a legal basic right in national law, which is legally enforceable, or it could be a universal right, which is considered to be enforced by the solidarity in a welfare state. Fitzpatrick et al. (2014: 453) (re)introduce the term programmatic right as a goal to work towards: *'a political 'marker of concern' pointing out housing as an area for welfare state policy'* (Bengtsson, 2001: 256). Formulations in national constitutions are often a typical example of such a legal 'right', which is not enforceable, they argue.

Regardless of the type of right to housing that is in place, policy measures –either directed at the household or an organisation that in turn assists the needy household– may ‘support’ or strengthen the socially constructed implementation of the right (Nicaise et al., 2017). As the realisation of social rights often depends on other than legal support (only), social policies operate to help convert material resources and rights (immaterial resources) into freedoms to choose (Bonvin & Laruffa, 2017: 19).

**Figure 1.1 From resources and conversion factors to achieved functionings (individual wellbeing)**



**Figure 1.2 From human rights and social investment in capabilities to individual wellbeing**



These types of social policy that help individuals to develop their capability set can be understood as *social investment*, a concept, which Hemerijck (2012: 86) describes as aiming to provide the means for a person ‘to equip’ that person to develop him or herself, instead of only supplementing a lack of material goods. The latter ‘*protective public spending*’ is considered typical for a classical welfare state (see also Lennartz, 2017: 116-122). In contrast, ‘*productive public spending*’ impacts on education, childcare, pre-schooling, active labour market policies, etc. and characterises a so-called productive welfare state concentrating on including outsiders (Hemerijck, 2012). Bonvin and Laruffa (2017: 20-22) speak of a ‘*capacitating welfare state*’, when social investment empowers individuals in the three roles to participate in achieving effective human rights.

RE-InVEST interprets social investment as ‘*investment of resources into people – more precisely, into the sustainable enhancement of individual and collective capabilities. The criterion thus becomes the sustainable enhancement of individual and collective capabilities rather than the source or nature of the investment*’ (Nicaise et al., 2017: 3).<sup>7 8</sup> Social investment aims to create individual and public dividends in the medium- and long-term (paraphrasing and translating Hemerijck, 2012: 86) and can take place in diverse ways. It can impact on capabilities by also supporting human or social rights. It can run via resources, tools or intermediaries. Its types may be: regulation and/or (other) subsidy (cost-price lowering) measures. Figure 1.2 summarises these relationships, whereby the concept of collective capabilities in this study is being replaced by the concept of collective agency.

6 Rights are depicted in fact as part of immaterial ‘resources’. As values, they could also be part of the social conversion factors; e.g., informal institutions (Williamson, 2000). The example of Robeyns (2005) of the bicycle as material good (resource) or mobility provider (doing) also shows the different interpretations of a concept depending on the valued characteristics in relation to an individual’s wellbeing. By analogy, in the field of housing: a house as the resource versus ‘some level’ of consumption of housing services as valuable doing. See also Kim et al. (2018) and Section 1.4 for the different ‘roles’ of housing.

7 See also the discussion on when public spending is considered investment spending (see Nolan, 2013).

8 The RE-InVEST definition differs from the Social Impact Investment (SII) definitions explored by Muir et al. (2018: 1) defined as: ‘investment intending to generate social and financial returns, while actively measuring both’.

Collective agency implies individuals joining forces and helping each other and/or joining forces with (a) collective(s) in order to strengthen their capability set (Nicaise et al., 2017).

## 1.2 Housing as social right

Human rights are defined as values or social norms that describe facets of wellbeing and good life of a person (Vizard and Burchard, 2007). The EU-Charter of Fundamental Rights, which is binding for the EU-countries, includes ‘*the right to social and housing assistance*’, in Article 34 on Social Security and Social Assistance (item 3).<sup>9</sup> Most recently, the EC proclaimed and signed the European Pillar of Social Rights (EPSR) on 17 November 2017.<sup>10</sup> Art. 19 on Housing and Assistance for the Homeless formulates as rights the access to housing and assistance, appropriate other assistance and social inclusion.

These documents show a right to housing/shelter, which is formulated in the sense of protecting the needy, such as the homeless, and at the same time aims to counter poverty. According to these documents and the documents described in Section 2.1, the right to housing is formulated in a number of different bundles/clusters of rights, as access to: social housing or assistance that makes housing affordable; sustainable housing and housing finance; social inclusion; etc. (also: The Commissioner for Human Rights, 2009: 3 and following). Furthermore, the EU Charter of Fundamental rights and the EPSR aim to achieve affordable housing and/or *decent existence* or *good quality* housing or *adequate shelter*.

A relationship between the different dimensions of the right to housing exists, consisting of a number of ‘sub’rights. For example, ‘good’ quality as such is a multidimensional concept and can be interpreted to include technical dimensions (no leaky roof) and comfort dimensions (heating), as well as legal dimensions (protection from eviction; Haffner and Elsinga, 2015; Kemeny, 1981: 148; Lundqvist, 1986: 16). Each bundle of quality dimension comes with a price, which via income links in with affordability. A useful definition of affordability that combines both concepts states that: *Affordability is concerned with securing some given standard of housing (or different standards) at a price or a rent which does not impose, in the eyes of some third party (usually government) an unreasonable burden on household incomes* (MacLennan and Williams, 1990: 9). The standard of housing quality and the standard for the price or rent in relation to household income both aim to confer (societal) set norms around (societal) identified housing needs. More specifically, this definition requires an elaboration of what quality standard of housing services (shelter) is considered affordable for a certain household with a certain income. Combining these standards will identify unaffordable housing when constraints force households to under-consume a certain bundle of housing quality (for example, live in ‘too small’ a house in comparison to household size; and pay little) or to pay ‘too much’ for the standard bundle of housing quality considered. The right to housing is sustainable when it is realised at the moment of entry into the housing market (are there barriers; is there enough housing available?), as well as and in the longer term (will the decent-quality home remain affordable?).

## 1.3 Social investment in housing

The effective realisation of the right to housing will depend on the extent that it (the total bundle of rights as described in the previous section) may be legally enforceable, on the one hand (Figure 1.2). On the other hand, it will depend on the extent that the right can be considered to be socially constructed by a society in formulating and implementing housing policies. In the latter case, housing policies may effectuate a right to access housing, even if this right is not legally enforceable. These types of social policy (regulation, subsidies, etc.) that help individuals to develop their capability set in relation to housing services will be understood as social investment in the policy field of housing (see Introduction). Muir et al. (2018) speak of Social Impact Investment (SII) and define it as:

<sup>9</sup> <http://fra.europa.eu/en/charterpedia/article/34-social-security-and-social-assistance> (last accessed 30 December 2016).

<sup>10</sup> [https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights\\_en](https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights_en) (last accessed 29 March 2018).

Even though housing will be target of social/public policy, most housing is provided by the market (Haffner et al., 2012a). The fact that housing consists of two goods in one, explains this outcome. Housing as investment good requires investors for it to be built and for it to provide housing services. The latter would be considered the social service, the roof above one's head. The provision of shelter therefore requires investments and return on investment for the investor. Where 'reasonable' alternative market returns are available to investors, housing subsidisation/regulation is most likely required for those who cannot pay the market price and to allow them to access 'the standard quality' of housing services. Therefore, housing policies largely function as state correctives to the market (Bengtsson, 2001).

#### 1.4 Housing services as capability

The investment in the 'affordable' home will be considered a social investment, if housing in its social role is delivering benefits to society or multiplier effects (health and social inclusion, etc.). An extension of the individual's capability set aiming to secure shelter will be instrumental in freeing energy and scarce resources in a sustainable way for activities in other areas of wellbeing and in creating freedom of choice in these areas (from Haffner et al., 2018a).

Strengthening the housing capabilities will provide opportunities in other areas of social policies: '*Freedom of different kinds can strengthen one another*' (Sen, 1999: 11). These benefits can be considered the return on housing investment in the social role: Housing offering a/an (decent/adequate, affordable, etc.) roof above the head will be instrumental for achieving a number of social outputs. These housing externalities allow individuals to be empowered; therefore, housing extends their set of opportunities (freedom) to choose for certain preferred functionings in a valued life in other areas of the individual's wellbeing. The freedom of choice may encompass the following dimensions: (1) to live allowing for time and means for activities other than surviving;<sup>11</sup> (2) to be socially included in connection to an address and thus access to social services; (3) to choose for good health as a result of adequate-quality housing; (4) to participate on the labour market offered by an adequate neighbourhood; (5) to be empowered as a result of a secure right (i.e., not being evicted) and/or financial safety net (i.e., dwelling as asset, not paying rent).

Many of these positive desired social externalities<sup>12</sup> have been observed in the literature. Beer et al. (2011: 1176) coined the term '*wellbeing dividend*' for these so-called '*non-shelter benefits*' that arise from housing subsidies that impact on wellbeing, that impact on wellbeing, in all kinds of areas, such as in health, education, employment, social relationships, etc. (Bridge et al., 2003; Newman, 2008; Yates, 2012; Newman & Holupka, 2015). Housing itself will therefore provide a number of non-shelter benefits and impact on one's wellbeing (Balestra & Sultan, 2013), for example in terms of impacts on children's cognitive development (Newman & Holupka, 2015, 2016), impacts on the (mental) health of the occupants (Roys et al., 2010; Bone, 2014; Nicol et al., 2016). Non-shelter benefits may also arise from access to assets: asset-based social policy and housing-asset-based welfare (Doling & Elsinga, 2013; Dewilde & Ronald, 2017; Bonvin & Laruffa, 2017; Prabhakar, forthcoming).

From the point of view of the capabilities approach, the relevant question will be: when will the individual consider the shelter as adequate or sufficient in order to be able to realise the desired non-shelter benefits, being the desired combination of functionings that make up wellbeing?

<sup>11</sup> As a 'basic capability' in Sen's terminology: 'a real opportunity to avoid poverty' (Robeyns, 2005: 101).

<sup>12</sup> As non-shelter benefits will be context-dependent, the result of unclear conceptual linkages, as well as a methodological difficulties, an answer to such a question may be difficult to formulate (Bridge et al., 2003; Yates, 2012).

## 2. European policy framework for housing

Formally, housing as such is not a policy responsibility of the EU. Because housing is included in the EU regulation of markets (Section 2.2), on the one hand, and in the fight against poverty (Section 2.3), on the other, the EU has been influencing national housing policies. The fight against poverty relates not only to the debate on the realisation of human rights, but also to the urban agendas (Section 2.1).

### 2.1 Europe and beyond: the urban agendas

Next to the UN and the EU definitions of the right to housing as described in Section 1.2, the programmatic right to housing has been confirmed and strengthened in three relevant international activities in 2016.

First, the United Nation agreed on the agenda entitled Transforming our world: the 2030 Agenda for Sustainable Development.<sup>13</sup> Indicators for measuring the *Sustainable Development Goals (SDGs)* were developed. Four housing, SDG 11 Make cities and human settlements inclusive, safe, resilient and sustainable<sup>14</sup> is the relevant one, as target 11.1 reads: *‘By 2030, ensure access for all to adequate, safe and affordable housing and basic services and upgrade slums’*.

Connecting to SDG 11, the *Habitat III New Urban Agenda* was adopted at the United Nations Conference on Housing and Sustainable Urban Development in October of 2016. It was endorsed by the General Assembly of the United Nations in December 2016.<sup>15</sup> The Habitat III New Urban Agenda contains a vision statement about *‘the right to adequate housing’* and a transformation commitment referring to the return on housing investment; e.g. the non-housing benefits:

*46. We commit ourselves to promoting the role of affordable and sustainable housing and housing finance, including social habitat production, in economic development, and the contribution of the sector to stimulating productivity in other economic sectors, recognising that housing enhances capital formation, income, employment generation and savings and can contribute to driving sustainable and inclusive economic transformation at the national, subnational and local levels.*

In the EU *The Urban Agenda* was launched based on the Pact of Amsterdam in May of 2016 and it is to promote the cooperation between all kinds of actors on the topic of urban social challenges.<sup>16</sup> Its aims are to achieve *better regulation ... better funding ... better knowledge* and it operates in partnerships that draft action plans around certain topics. The aim of the Housing Partnership is stated as follows:

*‘As affordable housing is a basic human right and fosters social cohesion, the Partnership aims to contribute to better policies and frameworks creating access to adequate housing.’*

This resolution may be called good news, considering that housing is not an EU responsibility, as the next section relates.

<sup>13</sup> <https://sustainabledevelopment.un.org/post2015/transformingourworld> (last accessed 1 February, 2018).

<https://unstats.un.org/sdgs/indicators/indicators-list/> (last accessed 1 February, 2018).

<sup>14</sup> <https://sustainabledevelopment.un.org/sdg11> (last accessed 1 February, 2018).

<sup>15</sup> <http://habitat3.org/wp-content/uploads/NUA-English.pdf> (last accessed 1 February, 2018).

<sup>16</sup> <https://ec.europa.eu/futurium/en/urban-agenda-eu/what-urban-agenda-eu> (last accessed 1 February, 2018).



## 2.2 European Union state aid legislation: economic order

The roots of the EU are the ‘deregulation’ and ‘regulation’ of the internal market. More recently, the housing market has been included in the *European Semester*. Proposed reforms should remove housing market distortions (see for example the *Council Recommendation on the 2016 national reform programme and delivering a Council opinion on the 2016 stability programme of the Netherlands*, European Commission, 2016).

In line with the strategy of creating a level playing field on markets, *EU state aid legislation* is concerned with competition policy in the internal market requiring parties that deliver similar services do so under similar conditions (Elsinga et al., 2008, Braga & Palvarini, 2013). To achieve this objective, market regulations have been developed which do not allow for so-called state aid (subsidy) to distort competition. When housing services are considered to be Services of General Economic Interest (SGEIs), state aid must be targeted primarily towards services that would not be delivered (adequately) under ‘regular’ market operations and that concern public objectives.

For *housing* the EU state aid regulations impacted in a number of countries; e.g., Sweden, the Netherlands, Belgium and France (Braga & Palvarini, 2013). For the RE-InVEST country Belgium, the legitimacy of a measure implemented by the Flemish government was questioned at the EU Court of Justice in April of 2011 (Braga & Palvarini, 2013). The measure prescribed for project developers to provide 20% of the land of the project to social landlords for social housing. The question was whether the government should have notified the European Commission.

The other RE-InVEST country, the Netherlands, is an example of EU-impact on national housing policy as a result of EU state aid legislation. In contrast to the Flemish government, the Dutch government notified the European Commission about the social housing services, which in 2005 resulted in the Commission raising doubts about overcompensating the social landlords for providing the SGEIs (Elsinga et al., 2008; Gruis & Priemus, 2008; Braga & Palvarini, 2013; Elsinga & Haffner, 2018).

In 2007 the Association of Institutional Property Investors in the Netherlands presented a complaint to the European Commission about subsidies to social landlords for non-social tasks. The European Commission (2009b) concluded that state aid was involved in social housing, which should only be available for social activities, and not for any other activities that the social landlords were involved in. To prevent overcompensation, a compromise was agreed on that 90% of the social dwellings should be allocated to households with an income below the ‘newly-introduced’ income limit, leaving 10% for the non-vulnerable households. The Commission requires a guarantee that state aid is only being used for these social tasks. Social landlords were therefore required to separate the administration of social tasks from non-social tasks.

In conclusion, the state aid regulation of the EU aims to create a level playing field by requiring transparent ways of defining the SGEIs and measuring the compensation for the provision of SGEIs. It thereby impacts potentially on national housing policies. From the perspective of the capabilities, targeting of support to lower income households does not automatically imply an impairment of the capability set of those considered in need; rather it reduces housing options for middle income groups.

## 2.3 Social inclusion and homelessness

Since the beginning of the discussions on EU-competition policy, there have been regular pleas, such as the one for a more explicit housing policy at the EU level because of the importance of social housing for social inclusion, energy efficiency and employment (Braga & Palvarini, 2013; Delli, 2013; see also Vandendromme, 2016). A report commissioned by the European Economic and Social Committee (2012) concludes that adopting a wide definition of social housing would be beneficial for the prevention of social exclusion. A wide definition may imply access for middle-income groups, next to low-income households, the creation of mixed neighbourhoods and less spatial segregation and social exclusion of disadvantaged groups.

While housing formally is not an EU-responsibility, the fight against poverty and social exclusion is. Since 2001, the member states are drawing up National Action Plans for Social Inclusion. Such a plan is one of the five instruments of the Open Method of Coordination (OMC). This instrument aims for EU countries to cooperate in order to meet the goals set at the Lisbon European Council in March 2000 (Haffner,

Dol & Heylen, 2014). The other four instruments of the OMC pertain to synthesising the national reports and setting common goals to fight poverty. To make progress, the extent of poverty and social exclusion is measured with indicators from the EU Statistics of Income and Living Conditions (EU-SILC; European Commission, 2009a), which include data on housing, but exclude the homeless (Eurostat, n.d.; see Chapter 3). Appendix 1 provides some methodological comments.

Homelessness has reached the agenda of the European Commission (EC), however. First, the European Commission financed the evaluation of the Housing First Europe (HFE) project that took place in a number of countries August 2011 to July 2013. Busch-Geertsema, 2013: 11) concludes: *‘The Housing First approach is a perfect example for social investment and should be further developed as a key element of integrated strategies to tackle homelessness at all levels.’*

Second, the Social Investment Package (SIP) contains a module on homelessness. In that document, the European Commission (2013a) elaborates that the European Social Fund (ESF) supports disadvantaged groups, among which the homeless. Support aims to increase labour market participation.

Murphy and Hearne (2017) conclude based on the document that preventive investment in homelessness is agreed, as it will recover high rates of return on investment, while acknowledging housing as a core need as part of the Housing First approach.

### 3. Comparative analysis of the housing market across the EU

#### 3.1 Housing markets

Homeowners dominate the housing markets of the 28 countries of the European Union (EU) in 2016 (Figure 3.1); particularly in the Central and Eastern, as well as the Baltic European countries. In many Eastern European countries, the large-scale transfer of public housing to home ownership took place after the fall of the Berlin wall, resulting in market shares of 80% or more (Hegedüs et al., 1996, 2018; Lowe, 2013). The average shares of homeownership in the southern European countries, where homeownership has generally been achieved with the help of the family (Allen et al., 2004), are mostly found in-between the rates for ‘the eastern and western’ EU-countries. In contrast to the Southern and Eastern countries, the western EU-systems produced on average higher rates of homeownership financed with a mortgage or loan and a larger share of at-market-price renting (not shown; Haffner & Elsinga, 2015).

#### 3.2 Marketisation: the move towards the market

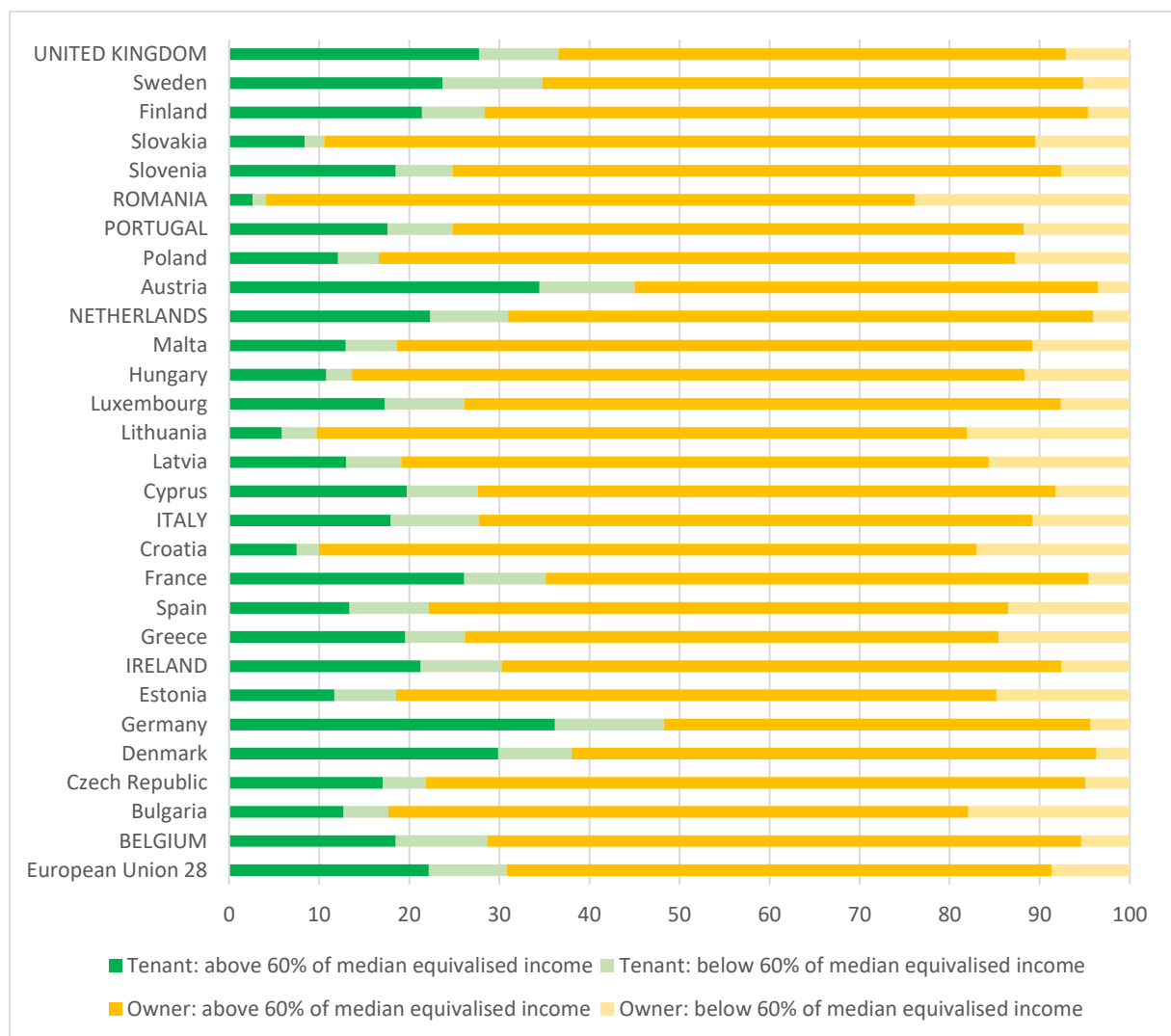
Since the 1980s housing has ‘marketised’ in various ways in many European countries. As a response to expensive welfare states and policy failures a move took place towards enabling governments (see also Mayo and Angel, 1993), starting with Thatcher in the UK. Terms like privatisation and liberalisation then go hand in hand with enabling governments. Privatisation, as a wider trend, can be related to ‘the principle of decentralisation; e.g., the *strengthening of private property* and the freedoms that go with it’ (Höpfner et al., 2014: 7; Boelhouwer & Van der Heijden, 1992; Haffner, 2018a; Haffner & Elsinga, 2015; Haffner et al., 2009, 2018b). With the aim to reduce government involvement in housing systems, bricks and mortar subsidy programs often for social rental housing were largely traded in for means-tested personal subsidies (housing allowances) and policies encouraging homeownership.

Tenant purchase schemes gave a relatively early impulse to increasing rates of homeownership in Ireland and the UK (Haffner et al., 2009; Orji & Sparkes, n.d.; Jordan, n.d.-c). The huge transition, not necessarily the sale, from public housing to home ownership in many Eastern European countries, can be regarded as the biggest example (see above). Privatisation, therefore does not only embody the sale of public assets to the private sector: ‘*the term is also applied more widely to include any process that reduces government influence over socially-orientated activities or aims to make greater use of the market to achieve social ends*’ (Stephens et al., 2008: 105).

From the three countries analysed by these authors, only in Germany privatisation to private equity funds took place on a large scale. Not only in the UK, had sales to sitting tenants taken place, but also in the Netherlands and Germany. Sales, although limited in numbers, to effectuate ‘social’ homeownership also took place. In Germany the public stock went to cooperatives, which are regarded as social housing; in the UK and the Netherlands special schemes, such as shared homeownership were operated. Last, but not least, privatisation included the transfer of stock from public landlords called municipal housing companies or local authorities (LA) to non-profit organisations such as housing associations in the Netherlands and the UK. In the latter country these transfers are called Large Scale Voluntary Transfers (LSVT) and were organised bottom up. Tax incentives for stimulating private investments in social housing replacing public investment in Italy, can be listed as another way of privatisation (Murro & Palmisano, 2018: 169). Whether such types of shift will result in social disinvestment will depend on the way they are realised.



**Figure 3.1 Tenure structure by income group based on population in the EU-28 countries, 2016**



Source Eurostat (n.d.) (EU-SILC il\_li02 and ilc\_lvho02), 2016. Names in capital letters: RE-InVEST countries

Public-private transfers will (in due course) result in market rents being charged instead of social rents. Such a development will be re-enforced by the reduction of rent control in private renting that has been taking place in a number of countries, among which Denmark, England, Finland, France, Norway, the Netherlands and Sweden, in the past decades (Whitehead et al., 2012; Orji & Sparkes, n.d.; Haffner, 2018a; Haffner et al., 2018b).

Social rental policies have pushed social rental housing to move towards market rents in for example England and the Netherlands. The Dutch quality-based rent control system has increasingly integrated market-conforming elements (e.g., higher rents in urban areas). In England social landlords have been able to get subsidies since 2011 in the affordable rent scheme under which tenancies in England are offered at up to 80% of market rent levels within a local area. Blessing (2016: 168) concludes that the affordable rental scheme has become available for those households living in poverty that are more likely to achieve future income growth, while neoliberal reforms in the UK (Australia and the US) have left behind the those without potential of future income growth.

A number of countries (e.g., England, Netherlands) have introduced options for allowing closed-ended (instead of open-ended or indefinite) rental contracts in the social rental sector (Fitzpatrick & Pawson, 2014;

Huisman, 2016). Arguments to do so, could be related to targeting the neediest (equity) or to activating the inactive (*'welfare dependency'*; Fitzpatrick & Pawson, 2014: 597; see also Bone, 2014).

Policies that move towards the market, allow for bigger market impacts on housing outcomes, such as the house price crash following the Global Financial Crisis (GFC) in a number of countries (see for example, Eckardt et al., 2018). Also structural factors, such as the increase in the share of flexible jobs (Doling & Ruanavaara, 1996) and stricter rules for mortgage access, will show effect (see for example, Haffner, 2018b). To compensate access problems in homeownership and/or social renting a number of countries are giving the private rental sector a wider role: e.g., England, France, Italy, Spain and the Netherlands (Oxley et al. 2010; Bone, 2014; Haffner et al., 2014a; Crook & Kemp 2014; Haffner, 2014; Whitehead et al., 2016: 45; Haffner et al., 2018b; Murro & Palmisano, 2018).

Even though tenure structure will be a slow changer, as investments compared to housing stock are relatively small, changes are visible in many EU-countries (Figure 3.2). The market share of homeownership has declined, while in even more countries renting has increased between 2008 and 2016. The figure does not show, that renting at market price generally shows relatively larger increases than the other tenures (renting at reduced price, outright owning or owning with a mortgage or loan). The figure does also not show that in a number of countries (England, France, the Netherlands and Sweden) the long-run decline of private renting has come to a halt (Haffner et al., 2018b). Among others, Sharma et al. (2018), Murro and Flaviana (2018), Jaiyawal et al. (2018), and Haffner (2018b) expect that the access to homeownership will (further) decrease for those with a lower income in the UK, Italy, Ireland and the Netherlands respectively. The traditional routes into homeownership have become less accessible than they used to be; particularly in urban contexts where house price increases surpassed income increases.

### 3.3 Access to housing

The previous section illustrates that actual access to tenures seems to be changing in many countries with renting (at market price) increasing. This outcome does not convey whether all those who need a roof above the head are in fact housed. Data about homelessness are generally not very well available, nor comparable across countries, because of different definitions and measurement methods. Busch-Geertsema et al. (2014) conclude that since 2009 homelessness had risen in the countries for which some type of trend data were available (France, Germany, the Netherlands, Sweden, the United Kingdom (UK) and the Czech Republic), except for Finland. A lack of (affordable) housing will reinforce the insufficient access to housing.

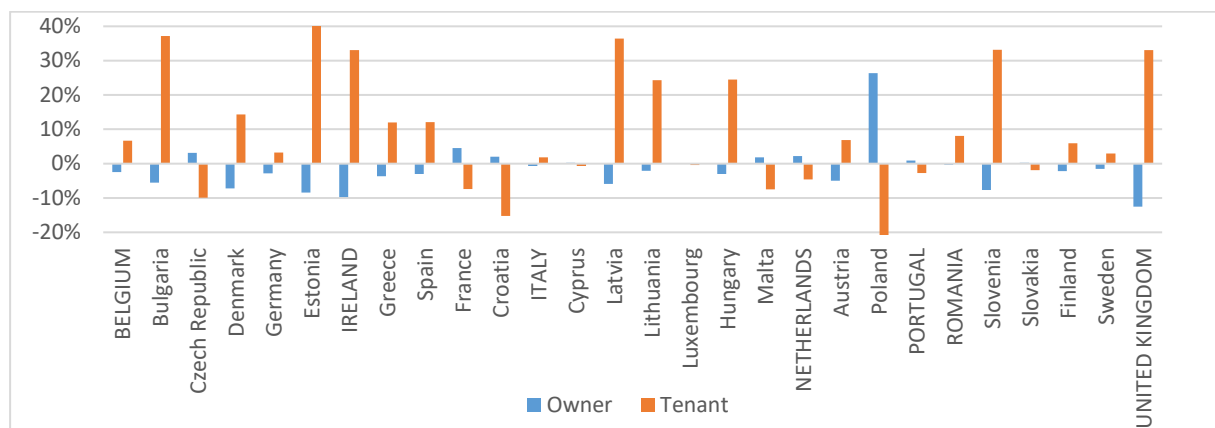
Young people moving out of their parental home, as indicator of access to the housing market (Figure 3.3), shows for the period 2008-2016 those aged 25-34 are increasingly less likely to move out of their parental home than those aged 18-24 years of age. The share of the older cohort that is living with their parents has increased implying more difficult entry into the housing market.

Access to decent or adequate housing, is not only about access at the point of entry, but also about 'sustainable' access, being able to live in housing, preferably with decent or adequate quality (see Section 1.2). The EU-SILC indicators (Eurostat, n.d.) on housing affordability (housing cost overburden; arrears in paying housing cost bills and energy bills; perception of housing costs as financial burden) and housing quality (overcrowding, shortage of space, noise from neighbours) would indicate whether access to decent housing will be sustainable in the longer term (housing satisfaction).<sup>17</sup>

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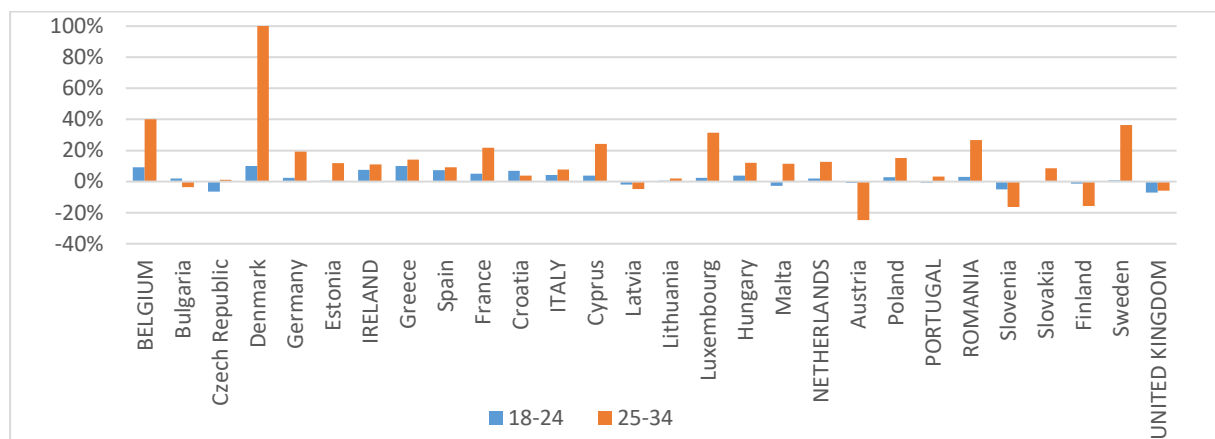
<sup>17</sup> See for example Haffner and Ras (2015) who attempt to analyse the performance of the housing system. These do not include any indicators about legal security, such as tenure security (security of rental contract) or actual evictions (Kenna et al., 2016). It must be noted that all standards are subjective to a certain extent, as norms are needed to set a standard. They may need to be set country specific rather than comparative across EU-countries.

**Figure 3.2 Development of market share of owning and renting in the population of the EU-28 countries, 2008-2016**



\* Cut-off figures for Estonian tenants and Polish tenants are +68% and -26%, respectively. Breaks in time series have taken place in: 2016 in Bulgaria and Luxembourg; 2014 in Estonia; 2012 in the UK; 2011 in Denmark; 2009 in Spain. Source Eurostat (n.d.) (EU-SILC code: ilc\_lvh002), 2016. Names in capital letters: RE-InVEST countries

**Figure 3.3 Change in share of young adults aged 18-34 living with their parents in the EU-28 countries, 2008-2016**



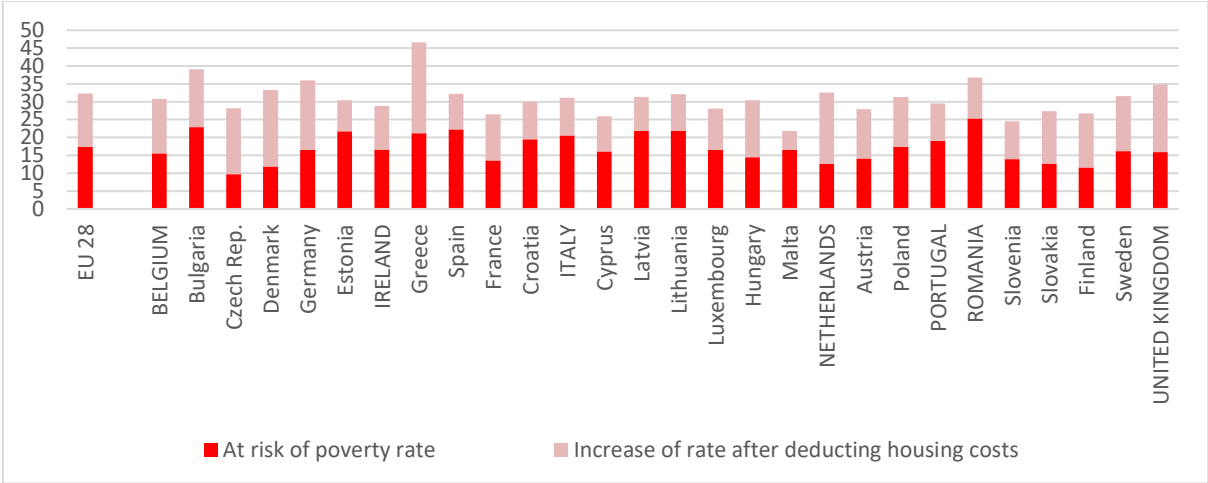
\* Cut-off figure for Denmark reaches 125%. Cross-sectional data. Breaks in time series have taken place in: 2016 in Bulgaria, Luxembourg and the Netherlands; 2014 in Estonia. Source Eurostat (n.d.) (EU-SILC code: ilc\_lvps08), 2016. Names in capital letters: RE-InVEST countries

Generally, population whose income is lower than the at-risk-of-poverty line (as in Figure 3.1) or is (severely) materially deprived, scores worse on diverse EU-SILC indicators, also for self-stated problems noted in the residential area. Ruelens and Nicaise (2018) present a comparative analysis, while Haffner et al. (2018a), Moth et al. (2018), show these indicators for two RE-InVEST jurisdictions (UK, the Netherlands). Across EU-countries, those at risk of poverty are relatively more likely to be tenants than owner-occupiers (Figure 3.1). The population at risk of poverty and the tenants particularly those renting at market prices are more likely to be confronted with unaffordable housing costs (being at risk of housing unaffordability), when the housing cost overburden is considered, as well as the housing and energy cost arrears (Haffner & Elsinga, 2015; Haffner, 2018c; see also Ruelens & Nicaise, 2018).

The relationship of high housing costs and being at risk of poverty is implied in Figure 3.4, where taking housing costs into consideration almost doubles the share of the EU-population deemed to live at-risk-of-poverty (using after-housing cost income) (32%) in 2016, when compared to the size of the group based on income before the deduction of housing costs (17%; see also Haffner et al., 2014b; Haffner, 2018c).

If the above-described marketisation trends continue and the housing market is increasingly becoming dependent on renting at a market price, sustainable access to housing is likely to be less guaranteed than in the past.

**Figure 3.4 At-risk-of-poverty rate and increase of rate after deducting housing costs from income in the EU-28 countries, 2016**



Source Eurostat (n.d.) (EU-SILC il\_li08 and il\_li48), 2016. Names in capital letters: RE-InVEST countries

### 3.4 RE-InVEST case studies: housing services as capability?

Based on the eight RE-InVEST case studies descriptions in Appendix 2, this section presents some conclusions on how changing housing policies and markets impact on the access to decent housing.

None of the jurisdictions studied solve access issues with a truly legally enforceable right to housing, which is effective, although there are countries (Great Britain, Ireland, the Netherlands) that oblige local authorities to arrange a pathway from emergency housing to permanent housing. However, the experiences of the Irish homeless shows that emergency housing tends to be far from desirable, when personal living space and freedoms are concerned; particularly for families with children. These experiences confirm the difficulty of developing an institutionalised living experience that respects child protection guidelines and enables autonomous parenting and family functioning.

As sketched in the previous sections with the EU-data (Figures 3.1 to 3.4) and the eight RE-InVEST country case studies (Appendix 2), access to affordable, good quality and secure housing is increasingly becoming more difficult. Increasing marketisation, such as a rising market share of private/commercial/ market renting, is likely to produce worse equity outcomes in the future, ceteris paribus. This focus on private renting came about in a number of countries, because of the austerity measures following the Global Financial Crisis (GFC) (Great Britain, Ireland, Italy, Portugal) and/or an ideological shift towards the market (the Netherlands) resulting in less access to social housing in combination with less accessible homeownership. Belgium is an example of a country, with a small social rental sector, that houses a majority of disadvantaged households in the private rental sector (PRS), resulting in relatively large shares of housing deprivation, while in Romania with close to 100% of homeownership, housing deprivation is also a matter of market housing. The case studies seem to indicate that the right to access decent housing is seriously being hampered by the recent austerity measures.

Trading in social housing suppliers for private actors to provide new social and affordable housing, will be difficult to realise in situations of scarcity in urban areas with rising house prices and rents, as the Irish case study highlights. Where alternative market returns are available to investors, housing subsidisation (in

the form of regulation) is most likely required for those who cannot pay the market price and to allow them to access the ‘standard quality’ of housing services. Thereby, demand subsidies (like the Irish (Homeless) HAP) will increase rents and prices, making access to housing more difficult for outsiders. Investors will regard housing, not only in such circumstances, as an investment rather than delivering a social service. If supply is scarce, ‘smart’ supply subsidisation is needed to effectuate new supply.

As most housing is provided by the market, even though it is often target of public policy, policies act merely as state correctives to the market (Bengtsson, 2001). Investment in decent housing requires large sums of funds. Scarcity in public funds will force governments (in Great Britain and the Netherlands) to aim for improved cost-effectiveness and make social housing move towards market housing, when considering financing, affordability and/or tenant security (fixed-term contracts instead of indefinite contracts).

If the market is to provide ‘mixed’ investment-consumption dwelling with a focus on social, a balance is required between both dimensions, will demand and supply both be considered as full-fledged housing alternatives by consumers and investors (Haffner et al., 2018b). Next to that, a more explicit tenure-neutral policy (not favouring homeowners more than other tenures) may also help to maintain a sustainable system of housing tenures, while possibilities to discriminate for those with market power (i.e., landlords) need to be minimised. The sector could be envisioned to fulfil different roles on the market, like a more flexible role for mobile parts of the population like it used to have in the UK or more of a ‘housing’ role for a large segment of the population by choice, like in Germany or Switzerland (Haffner et al., 2018b).

If the balance will continue to increasingly favour the market, Bone (2014: 7, 1) argues that a number of undesirable effects are expected to come on top of those of general housing deprivation (unaffordable or poor-quality housing). These expectations find their basis in sociologic and psychologic research:

*‘Consistent change and chronic insecurity, where people have little continuity and control in their lives, is at the root of much personal stress, mental ill health and poor emotional and, indeed physical well-being ... deeper psycho-social effects of involuntary mobility, insecurity and socio-spatial dislocation.’*

## 4. Conclusions and recommendations

The Social Investment Package (SIP), which the European Commission (European Commission, 2013a) launched in 2013, aims to facilitate the reform of welfare states in order to achieve Europe's 2020 targets (see also Sabato, 2016). The package sets out lines on redefining social policy as investment, promotes activation policies, emphasises investment in children and suggests innovative for-profit finance models for attracting investment funds (Bonvin, 2018). When the SIP refers to homelessness and disadvantaged groups, it proposes that the European Social Fund (ESF) supports the increase in labour market participation. This definition does not completely coincide with the RE-InVEST definition of social investment as the sustainable enhancement of capabilities (Section 1.1). It is smaller.

Taking human rights and capabilities as a starting point, Bonvin and Laruffa (2017) propose a new welfare arrangement, a 'capacitating welfare state'. In this welfare state social investment empowers individuals in the doer, receiver and judge dimensions of capabilities to participate in achieving effective human rights allowing to focus on deprivation as a multidimensional framework of receivers lacking resources, doers lacking opportunity to act and judges lacking opportunity to voice and aspire. Any of these dimensions indicate a lack of real freedom to choose, and allow for social investment to make a difference. Moving from the return on social investment in housing (Section 4.1) to the link with the capacitating welfare state (Section 4.2), this chapter ends with some recommendations (Section 4.3).

### 4.1 Housing services as capability

The sustainable enhancement of capabilities (Section 1.1) can be conceived as a measure of return on social investment (Section 1.4). Return on investment will be achieved, if housing services enhance the capabilities; e.g. housing services as capability. If one can access affordable and secure housing of a decent standard, such a societal return on investment can be achieved. Such a '*wellbeing dividend*' (Beer et al., 2011: 1176) or '*non-shelter benefits*' contribute(s) to an individual's wellbeing (Bridge et al., 2003).

Living in affordable and secure housing of a decent standard provides shelter and will empower the resident by freeing up resources and conversion factors, thereby increasing the freedom of choice for the design of one's life that one values. Housing service, therefore, can function as a capability in allowing freedom of choice for valued functionings in other areas of wellbeing. Many of these positive and desired social externalities of housing have been observed in the literature (Section 1.3). For example,

- affordable housing will make resources available for other purposes, such as education (for the children) or social activities to lead an inclusive life;
- a secure right to housing will empower the occupant to spend time and energy on other life's purposes;
- equity in owner-occupied housing will free up resources for the rent that is not being paid; particularly, in the case of outright ownership.

Human rights in the form of access to a decent standard of housing co-determine the capabilities of the beneficiary, as Figure 1.2 depicts. Human rights are defined as values or social norms that describe facets of wellbeing and good life of a person. An effective right to housing can therefore be considered as part of the resources and skills of a person enhancing a capability set, in this case of housing. It brings about options (freedoms) for activities and choices that are not focused on finding shelter.

A right to housing consists of a bundle of rights. First, housing encompasses not only different levels of quality. A concept as decent-quality housing is a multidimensional concept by itself as well. It includes technical and comfort dimensions, as well as legal dimensions, such as protection from eviction.

Each bundle of quality dimensions comes with a price. A useful definition of housing affordability that combines both concepts proposes that a standard of housing quality and a standard for the price or rent in relation to household income determine whether housing will be considered affordable for the individual in question. Both standards aim to relate (societal) set norms around (societal) identified housing needs; more specifically, they specify the standard of housing services (quality of shelter) that is considered affordable for a certain household with certain resources (income).

Access to housing, therefore, requires society to set norms for quality (physical, comfort/security and legal/security) and affordability in the short term – at the moment that an individual/household is in need of shelter. At the moment of housing market entry, dwellings must be available (availability) to facilitate access. Access to housing also has a longer-term, on-going or ‘sustainable’ perspective: does the shelter remain decent of quality, affordable and secure?

In this way, access to housing is understood as a cluster of rights. Even if the overall right to decent housing may not be considered as being effective, one or more of the ‘sub’rights in the cluster may be (almost) legally enforceable (in some countries). For example, the right not to be evicted or limitations to the landlord’s powers to evict linked with indefinite rental contracts will protect a tenant. Similarly, rent setting for new contracts and regular rent increases may be controlled by government in order to achieve better affordability or the right to basic physical housing quality may be regulated to achieve better quality.

The effectiveness of the cluster of rights that compose the right to the access of decent housing will depend on the extent that it is legally enforceable. Housing policies may also effectuate a right to decent housing (partly), if they sustainably enhance individual capabilities. Many (social) housing policies (subsidies of all kind, rent regulation leading to below market prices; regulation of tenancies) result in increased means for the occupant of a dwelling and thus an increase in individual capabilities. If housing subsidies are provided for as long as they are needed according to an agreed benchmark of deprivation set by society and not limited in time or otherwise, they can then be regarded as social investment enhancing the capability set for housing in a sustainable/durable way.

## 4.2 Capacitating welfare state

Indicative of a new strive for strengthening the right to affordable and decent housing are three supranational agendas formulated in the United Nations Sustainable Development Goals (SDG 11), the Habitat III New Urban Agenda and The Urban Agenda of the European Union. In various wordings, they promote sustainable access to - and living in affordable and decent housing. Most recently, the EC proclaimed and signed the European Pillar of Social Rights (EPSR) on 17 November 2017.<sup>18</sup> Art. 19 on Housing and Assistance for the Homeless formulates as rights the access to housing and assistance, appropriate other assistance and social inclusion:

*‘19. Housing and assistance for the homeless*

*a. Access to social housing or housing assistance of good quality shall be provided for those in need.*

*b. Vulnerable people have the right to appropriate assistance and protection against forced eviction.*

*c. Adequate shelter and services shall be provided to the homeless in order to promote their social inclusion.’*

To facilitate realising these intentions and to put housing back on the agenda in the EU member states where governments are working under stringent fiscal limits, a ‘*capacitating welfare state*’ may be a way forward (Bonvin & Laruffa, 2017: 20). In such a welfare state social investment empowers individuals in the doer, receiver and judge dimensions of capabilities to participate in realising effective human rights; in this case

<sup>18</sup> [https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights\\_en](https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights_en) (last accessed 29 March 2018).



the right to housing. This normative framework based on human right and capability approaches goes beyond the traditional welfare state focusing on the passive receiver and beyond measures that focus on (re-) integrating workers in the labour market. Bonvin and Laruffa (2017: 20-22) propose that it focuses on deprivation as a multidimensional framework of receivers lacking resources, doers lacking opportunity to act and judges lacking opportunity to voice and aspire. Any of these dimensions indicate a lack of real freedom to choose the life that one values, and the possibility to for capability enhancement to take place.

In a capacitating welfare state the individual's definition of a valued life is leading (Bonvin, 2018). This would imply that a 'normal' public policy management cycle (Van Dooren et al., 2010) should include all actors concerned and start with the individuals concerned. The results of the Dutch case study show that the capability approach in its anthropological meaning may have added value as an evaluation tool for unravelling dimensions of human wellbeing as defined by the individual in question (and not others).

Such a definition allows for a more complete understanding of what it is an individual is lacking in his/her capability set (Bonvin & Laruffa, 2017). Options to strengthen the individual's capability set would not only include state support to the individual as a receiver, but also strengthen the individual's action options as doer, as well as the realisation options of the capability to voice and aspire as judge.

The main challenge will be to translate the focus on capabilities into practice. The focus on rights and capabilities may lead to different policies than those solely focusing on subsidies for passive receivers. These policies would be based on the choice of the participating and active receiver, as well as provide for vehicles to facilitate the doer and the judge. And strengthening those for housing will provide opportunities in other areas of social policies.

As a result, some of the solutions to housing problems will be more in the hand of the individual(s) than may be expected from a classic protective welfare point of view, when they are based on a paternalistic government deciding about the needs of the disadvantaged and passive receiver. This argument starts from a positive point of view. Different types of deprivation will be tackled in different ways - also by the individual in question in different roles - in order to strengthen the capability set.

### 4.3 Social investment

The High-Level Task Force (HLTF) on Investing in Social Infrastructure in Europe (Fransen et al., 2018: iv) aims for achieving inclusive growth in housing by stating that the investment in social housing delivers a social return on investment (see also Section 1.3 and 4.1):

*Social infrastructure is far from being the definitive and best solution to current and future challenges, but it is certainly a crucial instrument for creating inclusive growth and for strengthening Europe's social base. The goal is to accelerate job creation, improve the wellbeing, health and skills of people, and improve and make housing accessible, affordable and energy-efficient. The final objective is to make Europe more competitive and productive while improving the lives of everyone, across all generations.*

Furthermore, the HLTF introduces the term capacitating strategies (Fransen et al., 2018: viii):

*The report identifies how to shift from the present scenario with a major social investment gap towards a scenario we define as smart capacitating strategies, which focus... efforts on empowering people. In this context, this report illustrates how major bottlenecks could be removed by, among other things, improving technical assistance, financing, financial and non-financial regulatory affairs.*

Housing is thereby considered a capability (Fransen et al., 2018: 41):

*For regions, countries, and cities to move towards a smart capacitating investment scenario, social infrastructure should include a mix of: (i) fixed infrastructure for learning; (ii) affordable housing; (iii) specialist regional healthcare hospitals and (iv) flexible infrastructure allowing different populations to use the space provided e.g. in the cases of emergency housing and social enterprise incubators.*



Affordable housing services need to be combined in providing services to those in a variety of needs (Fransen et al., 2018: 40):

*There is increasingly agreement among those who provide social/affordable housing that integrated services or the 'Housing + ' approach is the best way to specifically deal with vulnerable people. ...Long-term planning, better partnership and cooperation are expected between separate sectors such as education, health & social care and affordable housing.*

Further recommendations follow under four headings: governance/politics, legislation, funding, and policies.

### Governance

In line with the capacitating welfare state and the focus on strengthening the capabilities and human rights, the starting point must be the disadvantaged individual (previous section). This requires strengthening participation and consultation in the process of decision making (bottom up) including civil society and citizen engagement in policy making. A policy like one that requires agreement of the majority of tenants to kick off dwelling renovations, would be in line with a participatory approach.

The Irish case study showed the usefulness of knowledge merging about the impact of marketisation of housing policy on the rights and capabilities of disadvantaged lone parent families. The research suggests also that just involving disadvantaged groups in the policy dialogue is insufficient to actually address the power imbalances surrounding structural social exclusion, and in order to enhance the rights and capabilities of such groups requires more on going capacity support through longer term Participatory Action Research approaches, such as the PAHRCA that RE-InVEST applied (Appendix 2).

To ensure the focus on those concerned, the application of a 'normal' public policy management cycle would include all actors concerned. Focusing on problem signalling, thereby, along with the mechanisms at work, how they can be improved, etc. will be helpful (Van Dooren et al., 2010). Monitoring achievements will facilitate the participatory process: vacancy rates, waiting lists for social or affordable housing, and numbers of homelessness in different categories of homelessness<sup>19</sup>. These context-bound indicators will complement the insights that the available EU-SILC indicators provide, such as those contained in the National Action Plans for Social Inclusion (Section 2.3).

### Legislation

The renewed momentum in strengthening the right to affordable, decent and secure housing in the three supranational agendas (Section 2.1 and 4.2), as well as in the European Pillar of Social Rights (EPSR) should find its way into legislation and strong regulation frameworks. Based on their own policy and market context, EU member states will need to determine how to strengthen this right, either by legislation and or subsidisation (see below).

A re-evaluation of the EU policy on state aid will be welcomed, as it has been shown to impact strongly on national housing policies by stealth (Elsinga et al., 2008; Braga and Palvarini, 2013). Scharpf (2010) concluded that it has reduced the number of policy choices of the member states in furthering liberal policies, while undermining the welfare states of Continental Europe and Scandinavia.

Since the beginning of the discussions on EU-competition policy, there have been regular pleas, such as the one for a more explicit housing policy at the EU level because of the importance of social housing for social inclusion, energy efficiency and employment (Section 2.3). A report commissioned by the European Economic and Social Committee (2012) concludes that adopting a wide definition of social housing would be beneficial for the prevention of social exclusion. A wide definition may imply access for middle-income groups, next to low-income households, the creation of mixed neighbourhoods and less spatial segregation and social exclusion of disadvantaged groups (see also, Fransen et al., 2018).

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<sup>19</sup> The European Commission made a start by recommending member states in the 2011 Census to use specific definitions with varying outcomes (Busch-Geertsema et al., 2014).

The pleas listed in the RE-InVEST case studies to (re-)regulate rental housing markets (rent setting, rent increase, tenant security) must be welcomed from the tenants' point of view (Haffner et al., 2012b). However, the mixed investment-consumption character of a home cannot be put aside, as the long-term declining trend in private renting in many countries had signalled. Recognising both the need for return (given risks) and the need for using a social service is the only way forward for the sector to develop in a sustainable way providing full-fledged housing alternatives, given the restricted public budgets for investment in social or affordable rental housing.

### Funding

Not only the RE-InVEST case studies launch a general plea for making available extra funds for realising social and affordable housing, but also the HLTF (Fransen et al., 2018). The latter report calls for smart capacitating investment financed by tax expenditures. However, the starting point should be that they need to be tenure neutral (not distort the saving decision) in comparison with the present often favourable treatment of homeowners. If tenure neutrality cannot be achieved, the favourable tax treatment for homeownership should be reduced, while the recurrent property taxes should be increased as increasing this type of tax will impede economic growth the least (Johanssen, 2008; OECD, 2010; European Commission, 2012a, b, 2013b). Furthermore, OECD (2017) proposes to increase the progressivity of taxes on property to finance inclusive growth and reduce inequalities. Whether and how these effects will be achieved, particularly in countries in Eastern and Southern Europe with high rates of homeownership, remains a topic of further research. Extra tax revenues thus generated can be used to support households in need of affordable and decent housing.

As most housing is provided by the market (Section 1.3), even though it is often target of public policy, policies impact as state correctives to the market (Bengtsson, 2001). Investment in decent housing requires large amounts of funds. Scarcity of public funds have forced governments to aim for improved cost-effectiveness and make social housing move towards market housing, when considering financing, affordability and/or tenant security (fixed-term contracts instead of indefinite contracts).

To finance the provision of social and affordable housing, next to tax expenditures, the HLTF (Fransen et al., 2018) also proposes the use of social bonds and the European Social Fund (ESF) and European Investment Bank (EIB) loans from the European Fund for Strategic Investment (EFSI; initiative of EC and EIB), which prioritises also investment in social infrastructure. Only four percent of the EFSI financing currently goes to social infrastructure. Social landlords and financiers of social landlords have undertaken some activities to attract the latter loans in England, France and the Netherlands, while a product called social housing bonds is being offered on the English market (Oxley et al., 2015).

These alternatives need further exploration, as well as alternatives such as impact investment, social finance and social impact bonds, whereby social gains (savings to society; i.e., lower health costs because of healthy living conditions) are to be (creatively) (partly) matched with financial returns for investors (Fransen et al., 2018; for an Australian study on this topic, see Muir et al., 2018). It remains to be studied whether achieving social aims with these types of investment will remain dependent on *'incentives such as credit enhancement, guarantees and tax advantages'* (Fransen et al., 2018: 78).

In situations of housing scarcity, as the Irish case study shows, measures are needed to protect disadvantaged groups from discrimination. However, tax expenditures stimulating demand, as well as other demand-side subsidies, will fuel house prices (capitalisation) and rents, strengthening the position of insiders. Therefore, if supply is scarce, 'smart' supply subsidisation is needed to effectuate new supply. Subsidies can also incentivise or enforce the use of vacant housing, where large numbers are present (for example in Ireland, Italy, Portugal and Romania) or incentive the 'trade' or 'exchange' of dwellings (for instance between households with children in small dwellings and households without children in large dwellings) to 'improve' the distribution of scarce space.

## Policy

Even though the EPSR does not add any legal basis for action to strengthen the right to housing at the EU level that does not already exist, the recognition of the importance of granting access to decent housing services could positively influence the recommendations in the framework of economic and monetary policy and put housing back on the agenda in the EU member states.<sup>20</sup> The evaluation in the European Semester could promote the condition that the social rights in the EPSR will become enforceable rights based on EU law and benchmarks that are monitored by the EU economic and monetary policy. They need to be accompanied by a well-designed fiscal instrument, such as a solidarity fund, that can help countries operate counter-cyclically and co-finance their social policies in case of economic adversity.

Given that private tenants are more likely to live in general housing deprivation (unaffordable or poor-quality housing) than residents in other tenures, adding in insecurity, will impact negatively on their well-being (Sections 3.2-3.4). Rationales of welfare economics allow government intervention in a number of cases, such as when there is information asymmetry (between the landlord and the tenant) and/or monopolistic power of the landlord (Haffner et al., 2012b). However, as housing is a combined investment and social good, policies need to strike a sustainable balance between the interests of tenants and landlords. Investment requires a sustainable return, while tenant protection requires the sustainable access to decent, secure and affordable housing, will the rental sector be used as a mature (stable) rather than a flexible housing market solution. Different mixes between subsidisation and regulation may be required in different contexts.

Preferred measures will maximise the long-term individual and societal benefits in line with the principles derived from the capacitating welfare state, starting from the life fulfilment that people value. Stimulating the receiver, doer and the judge, where needed, combined with a strong right to housing will maximise the inclusiveness of housing services for disadvantaged households.

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<sup>20</sup> Thank you to Anne Lancker for suggesting this line of argument.

## appendix 1 EU-SILC - methodological observations

Some definitional differences between the EU-SILC database (Eurostat, n.d.) for the European Union countries and those usually published in the countries are the following:

1. These difference is based on the unit of measurement. Country data for housing are usually calculated based on the household as unit of measurement instead of the person in the population as unit (which is a poverty approach; De Wilde, 2015; Haffner, 2015). For example, in the Netherlands the rate of homeownership based on households amounts to 60% (Blijie et al., 2016), while Figure 3.1 shows 70%, implying that homeowner households will be larger in size than tenant households.
2. The definitions of the rental segments in countries may differ from the ones that are distinguished in EU-SILC. Often renting for free (from an employer) is classified as part of the private rented sector (e.g., France, United Kingdom), while in EU-SILC it is included in renting below a market rent (Haffner et al., 2010). Furthermore, it must be realised that if a dwelling did not fit the category renting below a market rent, it was included in renting at market price. For the Netherlands, almost all rental dwellings can be found in the category renting at market price, while most rental dwellings will either be owned by social landlords and/or the rent will be regulated (Haffner, 2015).

In addition to these differences, the EU-SILC definitions in the rental sector distinguishing between the types of rent that is being paid are often different from the definitions used within countries. Because of pragmatic reasons the country definitions are often based on ownership of the dwellings: private versus public. The latter may also be called social, which does not necessarily imply public ownership, but would imply the provision of housing for ‘social’ reasons, possibly also by profit (commercial, market, private) organisations or non-profit, but private, organisations; and not only public or non-profit organisations.

None of the classifications can be considered to be fool proof, as social/public/non-profit organisations may generally have a public/social task to fulfil prescribed by housing policy, but may also own dwellings outside their remit: to house those that are not able to house themselves. Harloe (1988) differentiates social renting from other renting in characterising it as embedded in a strong governance framework (political decision making), offering affordable (subsidised) rents and being allocated administratively according to a socially desired level, implying as primary purpose of social renting to meet housing needs which are not fulfilled by the market (see also MacLennan and More, 1997).

However, a public/social task may also be fulfilled by other ‘non-social’ organisations when housing policy offers private/profit/commercial organisations financial help (subsidies) to realise housing for disadvantaged households or when rent control is implemented with the aim to achieve affordable rents. Then a distinction between ‘market rent’ and ‘below-market rent’ will be helpful, as attempted in the EU-SILC.

## appendix 2 RE-InVEST case studies

This appendix provides the analyses of the developments on housing markets impacting on the access to decent housing in the eight RE-InVEST jurisdictions. Analyses in six jurisdictions were carried out based on a literature study (Belgium, England, Italy, Portugal, Romania and Scotland), while for two countries data were collected based a housing case study. Ireland studied the access of homeless to private renting with the aid of a demand subsidy, while the Netherlands unravelled the capabilities according to the anthropological roles as proposed by Bonvin and Laruffa (2017): doer, receiver and judge.

Ireland and the Netherlands collected their data using the Participatory Action, Human Rights and Capability Approach (PAHRCA) that the RE-InVEST team developed.<sup>21</sup> The merging of knowledge of the participants' experiences with the knowledge of those involved in policy making and assisting the participants with the knowledge of the literature on the respective topic, was the aim of the PAHRCA.

The approach in this appendix is as follows: Each country's housing market is first briefly introduced. The sections X.1 then focus on the recent reforms (following the GFC), while the sections X.2 present the information on access to decent housing. Access to decent housing is understood as a cluster of rights (Section 1.2): access as in housing market entry; access as in durable/sustainable, affordable housing, decent quality, legal (security) as well technical and comfort within and outside the dwelling. The information provided for the jurisdictions will differ, depending on context and developments, among others.

### a2.1 Belgium<sup>22</sup>

The housing sector in Belgium differs from the corporate welfare states that pursue de-commodification of access to housing through the provision of large stocks of social housing. In Belgium, strategies of stimulating property acquisition through direct and indirect measures have played an important role for more than a century (De Decker, 2008). This implies that housing is seen as an individual responsibility, but with the property right being strongly financially supported by the government, rather than the social right.

Since 1980, respectively 1988, the three Administrative Regions of the federal state Belgium, the Regions of Flanders, Wallonia and Brussels are responsible for housing policy (Haffner et al., 2009 Haffner & Bounjouh, 2014). This excluded the fields of rent policy and legislation for the private rented sector (PRS), as well as tax deductions for mortgage loans, which remained the responsibility of the national government. In the beginning, the three regions largely based their housing policy on the 1970 National Housing Law (*Huisvestingscode*), which established the legal basis for housing policy in Belgium. Meanwhile each region has introduced their own housing law.

#### a2.1.1 Recent reforms

With the State reform of 2014, the tax deductions for mortgage loans of owner-occupiers were transferred from the federal level to the Regions. These tax deductions are favourable for owner-occupiers, which reached a share of 71% of population (Figure 3.1). This resulted in a 61%-share of the Flemish government's housing budget being spent on home ownership, while 35% was spent on social housing. 5% of the Flemish budget was reserved for private renting, while its market share reached 20%, and social renting 5-6% in

21 More information on the approach is provided in the country reports of Workpackages 3, 5 and 6, which all applied it.

22 Based on Van Lancker et al. (2017) and an unpublished RE-InVEST country description provided by Haffner.

2013 (Winters, 2016). Considering the urban density, the share of renting in Brussels is much higher than in the Flemish Region, the Walloon Region finding itself closer to the situation in Flanders than Brussels (Haffner & Bounjouh, 2014).

The Global Financial Crisis (GFC) of 2008 did not hit Belgium as hard as some other countries. Winters (2017) reports that new construction and sales of dwellings slightly slumped in Flanders, but picked up relatively soon after the crisis. As a crisis measure, the Belgian government lowered VAT rates in 2009 and 2010, while the Flemish government promised to invest extra in social renting (Haffner & Bounjouh, 2014). Other crisis measures included that the Belgian government came to the aid of banks in trouble, warding off reforms (Haffner & Bounjouh, 2014; Winters, 2017). Therefore, the mortgage market was barely affected.

Any housing allowance in Flanders that had been available in the rental sector was linked to social renting (applicant being formally on the waiting list). This changed only with the reform of May 2014 (Winters, 2016). Also in 2014, (since 1 July) the responsibility for the regulation of private renting was regionalised.

In 2014 the Flemish government announced that it would reduce the tax deductions for mortgage loans (re-baptised *woonbonus*) by 1 January 2015 (Winters, 2017; based on Vastmans et al., 2014). The reform came about as Flemish government realised that it would not be able to finance the *woonbonus* in the long run, while at the same time it stimulated price increases in the quite inelastic supply of stock; and income redistribution towards higher income households. Brussels was going to reduce (its equivalent of) the *woonbonus* by 1 January 2017, while the Walloon Region reduced it by 1 January 2015, as well as on 1 January 2016.

#### **a2.1.2 Access to housing**

The Housing Laws provide the framework for housing policies in the areas of quality control, the organisation and financing of social rental housing and owner-occupied housing, and subsidies for housing for private persons. They generally lay the ground for the aim to fulfil the constitutional right to decent housing (Article 23 of the Belgian Constitution). However, the right is not legally enforceable (see also Cornette, n.d.). In terms of central assumptions and strategies, divergence in policy between the regions remained limited, Winters and Heylen (2012) argue. The strong focus on home ownership in policy with different types of subsidies (social loans, social dwellings, etc.) has not changed (Haffner et al., 2009; Haffner & Bounjouh, 2014).

EU-SILC data for 2007 and 2015 demonstrate that the larger shares of the at-risk-of-poverty population are tenants (Eurostat, n.d.). Compared to the rest of the population, a larger share of the at-risk-of-poverty population consume less quality, live in a more overcrowded and in less affordable dwelling. Regardless of tenure, certain shares of social tenants and owner-occupiers with a mortgage are being confronted with an unaffordable housing situation; the share is largest in the private renting, regardless of the method of measurement (expenditure to income or budget; Winters, 2017). Particularly in the rental sector, about one in three tenants are considered to be paying unaffordable housing costs. Since 2005 the share of households with ‘too high’ housing expenses has continuously increased. On quality, in 2013 more than in one in three dwellings scored too low in comparison with the Flemish norms. Generally, low-income households, single-parents, singles, and the unemployed are more likely to live in unaffordable and/or insufficient quality housing. Winters (2017) concludes for Flanders that the right to affordable and decent housing is coming under increasing pressure.

In a nutshell, in spite of likely long-term effects of the quality of living on the physical and mental health and the general welfare of families, the Belgian governments have maintained a redistribution policy of over-subsidising homeownership and systematic underinvesting in social housing. Considering the fact that the highest return of social investment will be achieved among the most disadvantaged groups, better targeting can be the starting point. Hence, on the grounds that social housing supply remains inadequate, Van Lancker et al. (2017) regard as the best approach a fully-fledged system of rent subsidies in the private rental market to provide affordable living for low-income families without access to social housing.



## a2.2 Great Britain: England<sup>23</sup>

Since devolution of Scotland and Wales by the relevant 1998 acts, the UK<sup>24</sup> government remains responsible for the housing policies and the provision only in England, including the administrative arrangements. Social security/welfare including housing benefit remains a national responsibility, as well as the policy on local government (Haffner et al., 2009; Jordan, n.d.-a; Orji and Sparkes, n.d.).

When the Thatcher government launched the Right to Buy (RTB) in 1980, the tenant's possibility of acquiring a public dwelling with a discount was introduced, and public rental housing's dominance (with secure tenancies) started diminishing (only partly compensated by growth of the social rental housing with secure tenancies owned by housing associations). The RTB heralded the homeownership society in England reaching more than 70% of population. Meanwhile, the share has decreased to less than 70% of UK population in 2016, which is not only the result of the GFC (Figure 3.1).

The decline in market share of renting also affected private renting, even though the Thatcher government's heritage encompasses modern English tenancy law, which introduced market reforms in 1989 (Orji and Sparkes, n.d.). These included assured tenancies, which allowed for market rents, and the assured short-holds, for which tenant security was set at a minimum of six months. The share of 10% in the 1990s, has increased to 18% of households renting privately by 2011, while 17% were social tenant.

### a2.2.1 Recent reforms

As a response to the GFC the UK government has structurally reduced public expenditures (Orji & Sparkes, n.d.; see also Blessing, 2016). On the supply side, the aim is for public and social providers to charge 80% of market rents and implement fixed-term tenancies. Local authority housing subsidy was ended in 2012, giving the authorities control over their own budget (Goering & Whitehead, 2017). While subsidies are being reduced for social housing construction, the policy objective is a higher number of units; therefore more finance from other sources (and higher rents) is (are) needed.

Welfare cuts to housing benefits have produced another significant reduction in housing support in England (Orji & Sparkes, n.d.; Goering & Whitehead, 2017). These include a cap on housing benefit (2012) and the under-occupancy charge (known as the 'Bedroom Tax'; April 2013), which aims to match dwelling size with household size. In addition, since 2008 new private tenants have to rely on the Local Housing Allowance (LHA) which is no longer linked to actual rent paid, but rather to local rent levels and household size (flat-rate allowance). Until 2020 a number of limitations have been introduced, such a limit to the annual uprating of the allowance (Moore & Dunning, 2017), and a freeze on the rent cap (Goering & Whitehead, 2017).

The UK government is also phasing in Universal Credit, which will integrate certain means-tested benefits as of October 2013 (Orji & Sparkes, n.d.; Goering & Whitehead, 2017). The approach here is an increased focus on those who are less reliant on benefits (Orji & Sparkes, n.d.), while affordable renting is oriented towards those with income generating potential (Blessing, 2016). Scanlon (2017) observes that the share of social renting in new construction has more than halved between 2005/06 and 2015/16, while the bulk of new rental construction has become affordable rent (80% of market rent).

When Buy-to-Let (BTL) mortgages decreased after the crisis, government launched the private rented sector (PRS) initiative in 2009 highlighting its faith in the role of the PRS in solving supply problems (Orji & Sparkes, n.d.). The 2012 Housing Stimulus Package also contained a number of initiatives to facilitate institutional investment in the PRS (Bate, 2015; see also Blessing, 2016).

23 Based on Moth et al. (2018), Bone and O'Reilly (2010), Bone (2014) Jordan (n.d.) and an unpublished RE-InVEST country description provided by Haffner. For the latter, a thank you goes to Christine Whitehead for helping to draw out the important reforms impacting on the position of vulnerable households.

24 The United Kingdom (UK) includes Northern Ireland; Great Britain does not. Both include Wales (not part of this study).

### a2.2.2 Access to housing

Even though the UK is without a written constitution, a right to housing was introduced in 1977 (Jordan, n.d.-a). Furthermore, the 1998 UK Human Rights Act has also been based on provisions of the European Convention on Human Rights. It is not a direct right to housing, but an indirect one based on protection of property and respect for a person's home. The aim of the legislation is to create justiciable rights for the homeless. The LAs' obligation is to provide accommodation to the homeless with certain less strong duties to those who are threatened with homelessness.

For those not homeless, EU-SILC data show for the UK, which will be indicative for England where the majority of UK population is living, that larger shares of the at-risk-of-poverty population generally are living in deprived and unaffordable housing than those not at risk of poverty (see Moth et al., 2018; Eurostat, n.d.). Orji and Sparkes (n.d.: 32) specify: *'[T]here is a problem of severe overcrowding of low-quality rental properties and in defiance of Houses in Multiple Occupation controls, as well as the phenomenon of 'beds in sheds'; i.e. turning garages, sheds etc. into very basic dwellings.'*

Goering and Whitehead (2017) conclude that even though many reforms aim to affect low-income households living in expensive rent neighbourhoods, as of yet the reforms have not had this effect in practice, partly because of the government introducing extra help in the form of discretionary payments for certain groups (bedroom tax), and partly because effects are expected to start impacting in the longer term. Short-term effects are also noticeable for private tenants who cannot find suitable accommodation within the LHA limits, and particularly the homeless and roofless citizens (see also Fitzpatrick et al., 2015a). But, more reforms are to come, and even if the total budget of income support in monetary terms is to increase, the help for households will decrease.

The move towards marketisation (private renting without secure contracts, temporary contracts in social renting, BTL) and their impact will continue. For housing benefit policy changes, research shows that there is limited evidence of the effectiveness in delivering the stated aims of encouraging residential moves, on the one hand, while it has had adverse effects on the levels of poverty, wellbeing and health of affected households, on the other (Gibbons et al., 2018; Moffatt et al., 2016). Bone (2014) reports that the UN Special Rapporteur on Housing commented on UK policies during her visit in the summer of 2013 and was worried that the under-occupancy charge embodied a regression in the right to adequate housing. Furthermore, Bone (2014: 1) argues *'that coming to an understanding of the negative implications of private renting in the UK ... also requires an appreciation of the deeper psycho-social effects of involuntary mobility, insecurity and socio-spatial dislocation'* (see also Bone and O'Reilly, 2010).

To better achieve safe, secure and affordable housing, Moth et al. (2018) recommend the following measures: a renewed focus on rent controls to increase affordability in the context of housing costs outstripping wage growth; a shift away from an emphasis on the PRS and BTL and towards increasing the supply of public housing through new construction; and, finally, reversal of cuts to housing benefit and abolition of the under-occupancy charge (commonly known as the bedroom tax), which has had a range of negative impacts on the wellbeing of the tenants affected.

### a2.3 Great Britain: Scotland<sup>25</sup>

Since devolution with the 1998 Scotland Act, the Scottish Executive is responsible for the housing policies and the provision of housing in Scotland, including the administrative arrangements. Social security (also called social welfare) including housing benefit remains a UK responsibility, as well as the policy on local government (Haffner et al., 2009; Jordan, n.d.-b).

Significant policy changes in the 1980s and 1990s have affected the UK housing landscape. As in England, the RTB caused a decline in public renting (see also the Commission on Housing and Wellbeing, 2015), reaching a market share of a little less than 13% in 2011 (Jordan, n.d.-b). Homeownership increased

<sup>25</sup> Based on McHardy (2017) and an unpublished RE-InVEST country description provided by Haffner. For the latter, a thank you goes to Christine Whitehead for helping to draw out the important reforms impacting vulnerable households.



its share to more than 63% in 2000, but declined to 60% in 2011. The share of social housing provided by housing associations, housing cooperatives and charitable housing trusts increased from about 7% in 2002 to 11% in 2011.

The Thatcher government also kick started the Scottish modern housing law (Jordan, n.d.-b). It introduced market reforms in the private rented sector (PRS), the creation of a unified social rental sector in 2001 with secure tenancies and Scotland's diverging path in housing law and policies in the UK.

Market reforms in the private rented sector (PRS) entailed short assured tenancies with little security of tenure; and market rents from 1989 on (Jordan, n.d.-b). These also entailed regulatory reforms, however, concerning repair enforcement and rent dispute resolution by the Private Rented Housing Panel. Furthermore, a voluntary Landlord Accreditation Scotland scheme exists, which aims to assure tenants that the Scottish Core Standards for Accredited Landlords are adhered to. Reduced access to the other tenures, reinforced by the GFC in the case of homeownership, contributed to the growth in the PRS, which tripled in size since devolution (Wray, 2017).

### **a2.3.1 Recent reforms**

The UK government introduced a series of austerity measures in response to the budget deficits that resulted from the GFC. As described for England, these included restricting the receipt of means-tested Housing Benefit and Local Housing Allowance (LHA) in various ways (Haffner et al., 2009; Jordan, n.d.-b; Orji and Sparkes, n.d.; Goering and Whitehead, 2017). Furthermore the UK government has been phasing in the so-called Universal Credit, which combines means-tested benefits, as of October 2013. According to Orji and Sparkes (n.d.; see also Jordan, n.d.-b) the approach here seems to be a larger focus on those who are less benefit-dependent (see also Blessing, 2016).

In response to the situation on the housing market, the Scottish government (2018a) has launched a series of housing strategies in 2011, 2015 and 2016 with the aim of providing more homes.

The first of these was the 2011 policy document *Homes Fit for the 21<sup>st</sup> Century: The Scottish Government's Strategy and Action Plan for Housing in the Next Decade: 2011-2020*. It formulated a number of goals: organising the entitlement to accommodation of unintentionally homeless households by the end of 2012, ensuring that social landlords pass the Scottish Housing Quality standard (SHQS) by April 2015, ensuring that nobody is living in fuel poverty by November 2016 and reducing energy consumption with certain rates by the end of 2020 (Jordan, n.d.-b).

The Scottish government implemented measures, even though it was hampered by the UK government austerity measures. These limitations made the Scottish government change its ways and means of housing support towards ownership including intermediary schemes such as shared equity and rent-to-buy schemes (see also Jordan, n.d.-b). Support of social housing will need to involve more private funds, as well as the abolition of the right to buy, which was enacted by 31 July 2016 (Scottish Government, 2018b). Many public dwellings were transferred to housing associations, often via New Housing Partnerships, requiring tenant agreement (voting for a transfer) and participation in the management of the social housing via committees and boards (Jordan, n.d.-b). Last, but not least, the rights of the private tenant were strengthened based on the introduction of an independent deposit protection scheme in 2012, similar to the one operating in England and Wales (Jordan, n.d.-b).

In 2015, the Scottish Government designated housing as a '*national strategic 'social infrastructure' priority*' and published a Joint Housing Delivery Plan for Scotland (Scottish Government, 2016: 1, 2018a). It was followed by the More Homes Scotland strategy, which was published in 2016. Significant investment in house building has been taking place and more is planned, such as for affordable and mid-market rent housing, homeownership (e.g., Help to Buy (Scotland) Initiatives and Open Market Shared Equity Scheme to support affordable homeownership in Scotland) and rental income guarantees for private renting.

### a2.3.2 Access to housing

Evidence from the Housing and Wellbeing Scotland Commission (2015) gives a sense of the scale of the access-to-housing problems. Around 150,000 households are on social housing waiting lists; 940,000 households experience fuel poverty; some 73,000 are living in overcrowded accommodation. Other issues such as the ratio of house prices in relation to average incomes and the cost of PRS are also proving problematic. PRS rents have risen significantly and form a sizeable proportion of household budgets.

Increased demand for and lower provision of social renting have increased the number of low-income households in the PRS. Wray (2017: 1) elaborates for Scotland that *‘Private rent is uniquely insecure’* with much higher mobility than in social renting. Further analyses of the Scottish Household Survey found high levels of demand for the PRS, as well as about 40,000 private tenants (11%) on social housing waiting lists. Of those, approximately 5,000 (12%) have been on a waiting list for over ten years. 31% of those cannot afford their current private rental housing, while 11% have been threatened with homelessness.

The Scottish Executive extended the 1977 UK right to housing by 2012, based on the 2003 Homelessness Etc (Scotland) Act. This has *‘set Scotland apart internationally with regard to the issue of homelessness’* (Jordan, n.d.-b). In absence of a Constitution, the right is legalised as a local authority duty (Jordan, n.d.-b).

The 2015 Homeless Monitor concluded that since 2005/2006 when homelessness peaked, it declined over the measurement period (Fitzpatrick et al., 2015b). The decline is attributed to the implementation of the ‘Housing Options’ model of homelessness prevention from 2010 on (see also Jordan, n.d.-b).

On the path towards the 2011 housing quality objective that the SHQS be met by LAs and social landlords by 2015, failure rates have fallen across all tenures with dwellings of housing associations and cooperatives reaching the lowest value of 45% and those of LAs following with 58%, those of homeowners with 59% and private rental dwelling 60% (2011; Jordan, n.d.-b). Wray (2017) reports that 51% of private rental homes fail the standard, while five percent fall below the tolerable standard compared to one percent in social housing. It is one in five dwellings in social renting that fail the standard in 2013 (Scottish Housing Regulator, 2014). Wray (2017) proposes as solution a system of rent controls that ties quality to cost could incentivise property improvement.

Overall there is a complex mix of pressures facing disadvantaged groups in regards to housing. Although there has been some increase in investment, much more is needed to tackle the scale of the problem. More focused social investment is required to widen access to good quality affordable housing for disadvantaged groups to support their rights and increase their capabilities, as the Scottish case study shows: Secure housing allowed people to engage with other aspects of life. The home represented a safe space to promote wellbeing and social connections and was viewed as essential for maintaining recovery.

### a2.4 Ireland<sup>26</sup>: access of homeless to private renting

The Irish Constitution does not contain a fundamental legal right to housing (Jordan, n.d.-c). Nevertheless, dimensions of the right to housing are covered in the 1966 Housing Act (right to adequate housing) and the 1988 Housing Act (legal homelessness definition). LAs have an obligation under the first act, but not the second. The most significant development in 2009 was the enactment of the Housing (Miscellaneous Provisions) Act, which extends and amends the Housing Acts in the period 1966–2004.

Ireland has traditionally delivered on the right to housing through the provision of local authority homes and social houses traditionally built or procured and managed by the local authority. More recently approved housing bodies (not for profit housing associations) stepped in. Over the past 20 to 30 years, social housing has changed from being directly provided by the state through LAs to being increasingly provided by market actors. Tenant purchase schemes are estimated to have increased the share of homeownership with about 25% at the expense of public rental housing since 1966 (see also Haffner et al., 2009). Public rental housing’s

26 Shortened from Murphy and Hearne (2017). The Irish case study is based on data collected before July 2017 (when results were presented in the Parliament) by applying a mixed methodology including working with ten families living in emergency accommodation and interviewing stakeholders. For general information about the housing market and housing policies also based on an unpublished RE-InVEST text provided by Haffner.

share decreased from more than 18% in 1961 to about six percent in 2002, while the share of private renting increased from about 9% in 1991 to about 14% in 2006 (Jordan, n.d.-c).

#### **a2.4.1 Recent reforms**

The GFC has impacted significantly across a wide range of housing rights causing inter alia, a house price crash and the collapse of the housing market; increased mortgage arrears for homeowners as well as for investors in BTL properties; a significant growth in repossessions and/or restructuring of housing debt as well as several other policy instruments to address housing debt, such as mortgage-to-rent scheme and the a 2012 Personal Insolvency Act. Nevertheless, the decline in the rate of homeownership that had started in 1991 (Jordan, n.d.-c) continued. EU-SILC data (Eurostat, n.d.) show a rate of 70% of population in 2015 (see also Figure 3.1), while it was 78% in 2007, while public rental housing's share amounted to about six percent in 2002, and to eight percent in 2011, and private renting: about 14% in 2007 and 20% in 2015 (Jordan, n.d.-c).

In response to the GFC, and in line with these tenure shifts, the 2011 Housing Policy Statement announced a reform of housing policies away from the strong support of homeownership towards an increased role for the market as the primary social housing provider (Jordan, n.d.-c). Other policy shifts see an increased role for voluntary and co-operative housing associations in the role of social housing provider. Their market share amounted to 3.5% in 2006 (Haffner et al. 2009; Jordan, n.d.-c).

Given the more prominent role of the PRS envisioned and its present position, what will be the impact on the right to decent housing compared to other tenures? Its legal basis can be found in the 2004 Residential Tenancies Act (RTA). The act improved tenant security: *'the current syntax of Irish tenancy law ... [is] based on implied terms, market rates and security based on rolling four year cycles'* (Jordan, n.d.-a: 3). The law introduced a register of landlords and the Private Rented Tenancy Board, which is to solve disputes between landlords and tenants. Jordan (n.d.-c: 25; see also Moore and Dunning, 2017) describes its contribution as follows:

*'The reforms of 2004 have marked out the private rented sector in Ireland as having perhaps the most advanced private rented regulatory body in the British and Irish Isles...<sup>27</sup> The Act sets out the substantive law regulating private rented tenancies in Ireland and sets out a range of implied rights and responsibilities ... of and as such the vast majority of private residential tenancies are governed by the provisions of the Act.'*

The demand subsidy, Housing Assistance Payment (HAP), which was enacted in 2014, is to help make access to private renting affordable. Under HAP eligible households source their own accommodation and make their own tenancy agreement with the private landlord.<sup>28</sup>

#### **a2.4.2 Access to housing**

In the context of the disinvestment and decline in direct provision of social housing, and the decline of the homeownership rate, the gap in homeownership has become bigger between the professionals and the unskilled, the younger generations (aged 35-44) and the older generations, and the at-risk-of-poverty households and those above the 60% poverty line (Hearne, 2017). Last, but not least, arrears on utility bills have increased in the period 2007-2015, while heavier financial burdens of the total housing cost fell on the population with a lower income (Eurostat, n.d.).

These trends set the course for housing vulnerabilities on a larger scale: a larger reliability on the PRS. In Bengtsson's (2001) terminology, Ireland is following a largely selective housing policy that necessitates a largely legal approach to social housing rights, which has had drawbacks including residualisation and stigma. The shift to a market approach causes a diminution of legal rights particularly security of tenure, while also

27 England and Wales do... not have a purpose built regulator of the private rented sector and while the Private Rented Housing Panel in Scotland display[s] many of the characteristics of the Private Rented Tenancy Board, most notably with regard to resolving rent and repair disputes...[.] it does not offer the same range of alternative dispute resolution services.

28 See also Hearne and Murphy (2017) and Irish Government Economic and Evaluation Service (2017).

opening up access to other rights available to all private rented tenants including the stronger right to redress through the Private Residential Tenancies Board.

The access to the PRS in combination with the use of HAP and the emerging use of family hubs following an acute rise in family homelessness are the focus of the Irish case study, which assessed the experiences with both instruments. The Homeless HAP, which the Dublin Regional Homeless Executive piloted from 2015 on, provides higher cash amounts than the regular HAP. Homeless HAP is to help homeless to move from family hubs to private renting. The ‘family hubs’ emerged from a political commitment (2016) to no longer use in the long term hotels as emergency family homeless accommodation. While the commitment was to build social housing, the policy shifted over time to develop 18 ‘family hubs’ with basic shared cooking, laundry and child play facilities, among others.

### **Experiences with HAP**

HAP offers some useful features, particularly the Homeless HAP which offers more cash support than the normal HAP. Thus it makes private renting more affordable, and also realistically more affordable. For some families HAP offers an attractive housing route with greater choice of location and more mobility as well as providing the ability to work. However, there have been implementation issues and administrative errors by LAs in paying rent to landlords causing HAP tenancies to fail in some instances.

However, HAP also results in a reduction in the human right to housing in relation to the security of tenure. Under traditional social housing and the associated demand subsidy (RAS scheme) this is provided, while the Irish PRS cannot be considered as ‘housing for life’, but a more temporary option. Even though the RTA provides ‘the’ most advanced regulatory body implying strong protection in comparison to the UK countries, according to expenses of the participants, it has been made less strong by the Residential Tenancies (Amendment) Act 2015, which allows landlords to terminate leases by declaring that the property is to be sold or is needed for a family member.

The greatest obstacle to making Homeless HAP work - contrary to the policy assumption that HAP brings success to the motivated - is the deficit in private rental housing supply and the degree to which homeless families find themselves structurally excluded from the private rental market, as they miss out on a relevant social network on the one hand, and, on the other, are at the bottom of the queue in a highly competitive housing market, and vulnerable to class, gender, ethnic or family status based discrimination.

In the context of the disinvestment and decline in direct provision of social housing, the main conclusion based on the analyses of the experiences of those using the Homeless HAP to escape homelessness and the practical experiences of those administering HAP, Murphy and Hearne (2017) argue that HAP is a form of social disinvestment and a way to privatise social housing policy.

### **Experiences with family hubs**

These hubs have to date been developed outside the normal planning process and with little consultation with elected councillors. Family hubs promise increased living space, childcare facilities, and cooking and laundry facilities. There is a considerable variety of building types (ranging from former religious institutions, student accommodation, offices, warehouses and former B&B’s and hotels), variety of size ranging from 9 to 50 families, various locations as well as the range of providers (including Salvation Army, Respond, Cross Care and the Sons of the Divine Providence, and others yet to be identified). Such an approach leads to immediate concerns about consistency of standards and the likely experiences of hub life for families (interview with Political Representative).

The experiences of homeless from the case study show that whether family hubs keep their promise may depend on the rules that are set up, as participants reported encountering practical restrictions to the capability to live the life one chooses and values. The co-living rules (like not allowed to talk to each other in the hallway; children to stay inside; no visitors) were experienced to be limiting to the personal autonomy. Also, parents felt checked by key support workers and the accommodation managers. These experiences show the difficulty of developing an institutionalised living experience that respects child protection guidelines and enables autonomous parenting and family functioning.

### **In conclusion, and recommendations**

The Irish case study research into homelessness and housing policy provides some lessons for social investment, certainly in relation to homelessness and housing, as Murphy and Roary (2017) argue.

In the first instance there is a clear requirement for the participation of disadvantaged groups who are directly impacted by policies in policy development. The applied human rights and capabilities participatory research co-constructed new knowledges about the impact of marketisation of housing policy on the rights and capabilities of disadvantaged lone parent families. This knowledge had hitherto been given insufficient attention in social housing policy development. As a result, policy had a devastating impact on the rights and capabilities of disadvantaged groups. The research suggests also that just involving disadvantaged groups in policy dialogue is insufficient to actually address the power inequalities surrounding structural social exclusion, and in order to enhance the rights and capabilities of such groups requires more on going capacity support through longer term Participatory Action Research approaches such as PAHRCA.

In addition, the experience of the marketisation of social housing policy in relation to homelessness in Ireland also has some important lessons for social investment. It highlights potential damaging impacts on the rights and capabilities of disadvantaged groups of a marketisation policy where disadvantaged groups are exposed to the inequalities and failures of the market. It points to the necessity of the state playing a key role in both strongly regulating markets in the area of tenant security and in directly ensuring the provision and finance of social and affordable housing on a significant scale in order to address market inequalities and failure.

Murphy and Hearne (2017) outline the following recommendations, which aim to restore rights and capabilities, under three headings.

#### **Restoration of the role of the state as primary provider of social housing and invest in social houses**

- Provide for the right to housing in the Irish Constitution and enact legislation to realise this right in practice, with the right to housing guiding housing policy and practice.
- Increase capital funding for building significant amounts of social housing rapidly: triple direct capital exchequer funding to €1bn per annum to enable within 16 months 5,000 additional units.
- Ensure social housing is providing for homeless families and excluded groups.
- Pass emergency legislation to enable rapid procurement to facilitate the above rapid building programme and to make effective use of state-owned land in Dublin.
- Establish a new semi-state Irish Affordable Homes Company as proposed by both the National Economic and Social Council (2014) and the Nevin Institute (Healy & Goldrick, 2017).
- Increase use of vacant housing for social housing through the combination of incentives, a vacant homes tax and a compulsory leasing order of vacant housing.

#### **De-emphasis the use of the PRS in providing social housing**

- Legislate to address security of tenure. Amend Part 4 section 34 of the PRTA and introduce a minimum 5 year tenant protection/lease for homeless HAP tenancies.
- Give LAs as duty bearers the obligation to source and offer HAP accommodation and allow tenants to retain the place on the social housing waiting list.

#### **Hubs**

- Formulate a clearer rationale and policy intent about use of family hubs within a clear strategy to eliminate family homelessness based on stable long term housing. This should include a legislative sunset clause whereby all hubs close by December 2019.
- Allow any form of emergency accommodation including family hubs only as a very short term solution. A rights based perspective requires regulatory and legislative safeguards in Section 10 of the 1988 Housing Act concerning maximum time limits on residing in a family hub.
- Make choice and autonomy the important principles in the design and management of hubs. Separate in the design and operational model landlord management functions from support roles.



## **a2.1 Italy<sup>29</sup>**

In the so-called Mediterranean welfare regime of today, the housing regime of Italy emphasises homeownership (67% of households in 2011; 72% of population in 2016, see Figure 3.1) strongly as it always had, a largely liberalised private rental sector (about 16%; from the 1990s on), a small public rental sector (about 5.5%; and some intermediate tenures, 10%; Bianchi, n.d.-a, b).

From the 1980s to the 2000s a turnaround in policy was effectuated: the private rental sector legislation was liberalised (1996), and supported by fiscal incentives, while public housing was no longer subsidised by central government (1998). The latter was replaced in 1998 by the so-called Social Fund for Rents, financed by state, regions and municipalities to help people pay for their rents. Despite the introduction of this fund with state involvement, central government retreated from housing policies in favour of the 19 regions and two self-governing provinces (Bianchi, n.d.-a). Local public authorities (specific public agencies) became/ remained responsible for the ownership and management of the public dwelling stock.

Favourable bank loans for homeownership became popular in the period 2001-2009, because of low interest rates in combination with rising house prices (Bianchi, n.d.-a). This period ended with the burst of the speculative house price bubble in 2008 (Bianchi, n.d.-a; see also Di Felicianantonio and Aalbers, 2017). The public rental stock continued to be sold off to the occupants, while some stock is also being lost to illegal occupation (Bianchi, n.d.-a). In contrast to the past, regulation for public renting has become the responsibility of the Italian regions within the framework prescribed by the national government.

### **a2.1.1 Recent reforms**

For countering the impacts of the GFC, (the series of) central government(s) that took office, took initiatives, which it had mostly left to the regional authorities until then (Bianchi, n.d.-a). The 2009 National Housing Plan had two main aims: strengthening social housing and helping individuals to become owner-occupier.

- A social rental or owner-occupied housing program (distinguished from public housing organised by municipalities) started in 2009. This housing was to be realised locally and privately by a new form of partnership (public authorities, private investors and builders). It was to be offered with discounts to households with a higher income than those with the lowest.
- The municipal tax on property (ICI) was abolished for principal residents in 2008 in order to stimulate homeownership directly after the start of the crisis. In 2012, under tight financial budgets, a new tax was introduced (IMU). The next government abolished it for principal dwellings and introduced a new tax called TASI for principal and secondary homes. The government thereafter confirmed the implementation of TASI in 2014. Tax revenues will increase, and the tax aims to stimulate owners to use their dwellings, sell them or rent them out.

In a situation of tight budgets, Italy continues to work largely with indirect measures via the tax system, also for private renting (Bianchi, n.d.-a). Landlords are compensated by the tax system for extending the statutes for the suspension of evictions of private tenants, while awaiting new emergency regulation. Furthermore, to stimulate income tax payment by natural persons and affordable rents for the occupants, a proportional (instead of progressive) tax rate was offered for commercial tenancies and a lower one for so-called '*assisted tenancies*' (2011).

Italy also introduced a number of measures to stimulate the recovery of the mortgage loan market in 2013 and help owner-occupiers in financial problems, as repossessions were rapidly increasing between 2008 and 2012 (Bianchi, n.d.-a). This included the setting up of funds to help families maintain or take out a mortgage loan. Banks also have been setting up initiatives. Furthermore, the 2014 Housing Plan reintroduced a type of RTB, in this case for those public tenants with a rent term of seven years. Moreover to

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<sup>29</sup> From Rovere (2018), which is based on an unpublished RE-InVEST country description provided by Haffner, excluding the policy recommendations.

counter shortages in mortgage loans since the start of the GFC, private rental dwellings may also be offered with such an option.

### **a2.1.2 Access to housing**

Housing affordability stays on the agenda (Bianchi, n.d.-a; see also Di Felicianantonio and Aalbers, 2017). Even though house prices and rents fell in the aftermath of the GFC, this decrease was not enough, particularly for low and middle-income households, and in private renting

About 3.3 million people live in inadequate housing (unaffordability, quality, etc.), while an estimated 4.9 million dwellings (17% of stock) are not used as principal residents in 2011; thus officially are vacant (Bianchi, n.d.-a). Therefore, housing investment has taken place. Problems may largely be regarded as distributional issues, as close to one million of the vacant dwellings are estimated to be rented out on the black market (amounting to 20% of dwellings in the PRS), while about 3.5 million are estimated to be second (holiday) homes; leaving about 400,000 dwellings actually vacant. Some of these may be public rental dwellings, which are in urgent need of renovation, while funds are not available to the local public authorities. Black market problems predominantly affect students and immigrants.

Many of the measures that have been implemented, have not been effective (so far). This applies to a number of tax measures that have been implemented in response to the black market that aim to bring contracts into the legal sphere (Bianchi, n.d.-a). Also the social housing program that was set up in 2009 in response to the crisis had not been effective (as far as these local activities can be tracked down). One of the main problems with the program seems to be the coordination between the partners. The regional and local authorities brought this to the constitutional court.

Financial austerity limits actions of the Italian government(s), but also choices. Funds generally were and still are focused on homeowners mainly. The public rental sector is kept small by maintaining (with one interruption) a type of RTB (with a discount) for occupants. Worries are that the same fate will apply to social rental dwellings (Bianchi, n.d.-a). Sales of other public buildings have also given an impulse to homeownership. Furthermore, the increasingly liberal regulation to make investments in private renting attractive has caused more (affordability) problems (see also Bianchi, n.d.-b).

Overall, after the GFC a *'dual-speed market'* has developed with 'good' areas recovering, while the recovery of cheaper inexpensive housing in peripheral areas is lagging behind (Bianchi, n.d.-a). For the future, Italy is being confronted with expected growth of the cities in the North, and a decline in population in the southern part of the country. These challenges have to be managed in times of austerity without an enforceable right to housing in place in the constitution. It does, however, stimulate homeownership via household savings, and, via other rights, such as the right to create a family and support and educate children, the right to housing may become legally enforceable (Bianchi n.d.-a; n.d.-b).

Rovere (2018) lists the following policy recommendations:

- Building integrated and participative projects for the regeneration of distressed neighbourhoods, whose leverage is made up of social housing and whose ingredients are also technological innovations and environmental performance.
- Enhancing the principles of the "sharing economy" in the design and management of social housing interventions.
- Seeking for integration between residential public housing and private social interventions, also fostering to a simplification of the current complex articulation of public sector.
- Achieving an effective interdependence between financial management and social management, despite the different specificity and responsibility of the actors involved.
- Containing the costs of construction and functioning of social residential building within the urban requalification programs, by intervening in all the cost factors.
- Integrating social housing interventions, as housing services, within social policies, enhancing complementarity with security, solidarity and social cohesion.

- Developing models for evaluating social, as well as financial outcomes of interventions.

## a2.2 Portugal<sup>30</sup>

With about 75% of population (Figure 3.1), Portugal is a country of homeowners. This large share was achieved by the implementation of mainly interest subsidies, which amounted to 73% of budget allocations of the state in the period 1987-2011 (Instituto da Habitação e da Reabilitação Urbana (IHRU), 2015a). These made mortgage loans accessible for a majority of households over a long period (Correia et al., n.d.; see also, Nazarre Aznar et al., n.d.). The interest subsidies for disadvantaged households were abolished in 2002. The budget for rehousing programs amounted to 14% of the total budget (1987-2011), while renting incentives for the young reached eight percent, and other incentives (such as the social security housing allowance) amounted to four percent (IHRU, 2015a; Antunes, 2017: 408 Vol. I).

Meanwhile, renting had not become an option for many households. The social renting remained small with 2% of housing stock (2011; Farha, 2017; Correia et al., n.d.). Rent control made investment in the PRS unattractive and regulation made long-term tenancies obligatory, causing supply to decrease.

### a2.2.1 Recent reforms

When the Global Financial Crisis hit the housing market, high unemployment, tightening mortgage credit and stagnating sales combined to make the owner-occupied market less accessible than before, resulting in an increase in the number of rental dwellings, while at the same time stimulating owners to offer their vacant dwellings (of which there is a large supply) for rent (Correia et al., n.d.). Meanwhile, public spending on housing and collective services decreased from 2% of total public spending in the period 1994-2002 to close to zero percent in 2012 (Data from DGO/MF and INE/BP-Instituto Nacional de Estatística (INE), n.d.).

In 2012, the Social Emergency Program (*Programa de Emergência Social*) was launched in response to the crisis (Governo de Portugal (n.d.); Correia et al., n.d.; Nazarre Aznar et al., n.d.). The Social Rental Market (*Mercado Social do Arrendamento*) program, managed by a partnership of the state, banks and municipalities, aimed to rent out repossessed dwellings against a rent that is 20-30% lower than the market rent to families who did not qualify for social renting and could not pay a market rent. However, income limits were set relatively high, so that potential candidates were not eligible (Neves, 2014: 261).

The 2006 and 2012 renting laws liberalised rents, as well as the regulation of rental contracts (Correia et al., n.d.; Nazarre Aznar et al., n.d.; Antunes, 2017: 407 Vol I). The latter law, therefore, aimed to make investments in private renting more attractive. This was one of the agreements that the Portuguese government signed in the Troika Memorandum of Understanding (MoU) with the International Monetary Fund (IMF), the European Commission (EU) and the European Central Bank (ECB).

The MoU also contained general objectives, like better access to housing and better quality housing, as well as the reduction of mortgage debt (Nazarre Aznar et al., n.d.). The policy focus on private renting can be regarded as a way of achieving the latter goal.

To tackle the mismatch between speculative oversupply of dwellings (12.6% vacancies in 2011) and qualitative and quantitative undersupply<sup>31</sup> (see also Instituto da Habitação e Reabilitação Urbana, 2015b), the Portuguese government introduced a 50% extra real estate tax levy (Nazarre Aznar et al., n.d.: 10).

As housing construction was considered in equilibrium with growing needs on a macro level, housing policy increasingly focuses on (some) disadvantaged groups, like low-income households (Nazarre Aznar et al., n.d.) and the Roma, as well as the homeless (FEANTSA, 2014).

30 Based on information from Costa and Araújo (2018) and an unpublished RE-InVEST country description provided by Haffner. For the latter text, a thank you goes to Romana Xeres for drawing attention to the 2015 National Housing Strategy document (Instituto da Habitação e Reabilitação Urbana, 2015b).

31 Costa and Araújo (2018) elaborate that the vacant social housing stock (735,000) could house 27% of families living in precarious housing conditions.



The National Housing Strategy (*Estratégia Nacional para a Habitação*) for the period 2015-2031 was published by the IHRU (2015b), which is the government body that is responsible for housing policy. It proposes to monitor transparently the progress on the National Housing Strategy, which aims to facilitate access to housing. The document draws up a number of goals for three pillars: urban renewal, housing rentals and qualification of accommodation. It stresses the relevance of social housing in the fight against social exclusion.

### **a2.2.2 Access to housing**

The right to an adequate house is enshrined in the 65<sup>o</sup> article of the Portuguese constitution. However, Nazarre Aznar et al. (n.d.) concluded that the right to housing (art. 65 of the Constitution) is not legally enforceable and seriously handicapped by the unavailability of sufficient resources (see also Farha, 2017). The financial limitations of the Portuguese government (following the GFC) have caused a failure to implement a number of strategies; i.e., for the homeless and the Roma population (Correia et al., n.d.; Nazarre Aznar et al., n.d.) and have moved the responsibility away from the central government to lower levels of government and other actors. Public expenditure relatively decreased between 2002 and 2012, while the remaining social rental sector with 2% of stock (120,000 units) is too small a sector to solve any housing problems.

The more liberal regulation to make investments in private renting more attractive has caused more hardship, even though sitting tenants (before 1990) were temporarily protected from rent increases and elderly from the termination of their leases (Nazarre Aznar et al., n.d.). In real terms the average price for the monthly rental increased around 50% between 2001 and 2011 (INE, n.d.). Therefore, the private rental sector is likely to provide unaffordable rents, next to insecure contracts, particularly in urban areas.

EU-SILC data confirm that tenants are overrepresented in the at-risk-of-poverty population (Eurostat, n.d.). Furthermore, they confirm that larger shares of the population at risk of poverty generally are deemed to live unaffordably and in overcrowded homes or otherwise in housing deprivation than the population which is not deemed to be at risk of poverty. Furthermore, 63% of young population aged 18-34 years of age are living with the parents. Even though the level is comparable to the shares in many Southern and Eastern European EU-members, it may signal longer-term access difficulties (Figure 3.3).

Many other items populate the list with the target of improving access to affordable and decent housing for those in need (see also FEANTSA, 2014; Farha, 2017; INE, n.d.). An estimated 4,000 to 5,000 homeless people would need to be housed, increasingly the younger population. Furthermore, 26% are living in illegal units (Costa & Araújo, 2018).

Just like state support to private renting, easier access to mortgage credit and low interest rates will have exacerbated the problem of affordable housing in urban centres for medium- and low-income families (outsiders). Furthermore, improvement of decent housing quality is recommended. For example, 187 (out of 308) municipalities report precarious housing conditions, while five report a significant share of above three percent of resident households (IHRU, 2018). Last, but not least, energy poverty is the focus of a program of rehabilitation of social housing that the government launched in February 2017 (Antunes, 2018: 416 Vol. I).

The implementation of the National Housing Strategy 2015-2031 and the adoption of the Housing Framework Law aims to improve access to a universal right to housing. In 2018 the Socialist Party has started a public consultation of the housing framework law aiming to end individual housing programs and implement an integrated policy of housing and social services (Partido Socialista, n.d.).

As the solution of housing problems of citizens most in need is being centred mainly on renewal and rental incentives, Costa and Araújo (2018) recommend that the state regulate speculation in housing in order to ensure the right to decent housing for the most disadvantaged people. Moreover, investment is needed to help Roma communities and homeless people.

### a2.3 Romania<sup>32</sup>

With a homeownership rate of almost 100% of the population in 2016 (Figure 3.1) Romania, must be regarded as the super homeownership nation of the former Eastern European Communist regimes. According to the 2011 Census, six percent of the population did not live in their own home: 14,000 homeless, 96,300 long-term institutionalised, and 286,000 people living in social, cooperative or religious housing (Soaita, 2017).

The groundwork for universal and outright homeownership was laid with Romania's three land reforms which transformed farmhands living in poverty into homeowners who would be able to provide for themselves (Soaita, 2017).

During the era of communism, nationalisation and expropriation of private property was swift and complete in the 1950s and 1960s, except in the case of housing (Serban, 2015). The facts that houses were also homes and not only assets and that the government encountered enormous problems in realising rental housing, allowed for households to build their own house (Soaita & Dewilde, 2017).

In the 1970s and 1980s, self-building was banned while the government took up the reconstruction of the cities (Soaita, 2007). All in all more than five million units were built, however, with low quality in materials and space. At the end of 1989, when the communist era ended, an estimated two thirds of stock could be labelled as private ownership (Serban, 2015; see also Soaita, 2017; Turcu 2017).

After 1990, privatising land revived self-building in rural and suburban areas (Soaita, 2017; see also Turcu 2017). Individual housing units from the state, mostly in urban areas, were sold at a discount to the occupants. Restitution of housing that had been nationalised and or expropriated was enacted in 2001. Privatisation is generally rooted in the believe in Eastern European countries that the market could do a better job and that households would become independent from the state. Privatisation also provided government with much-needed funds (Turcu, 2017). Privatisation resulted in a further stimulus for homeownership, while the remaining public rental housing marginalised (2.5% of population).

#### a2.3.1 Recent reforms

Romania has not undertaken any major housing reform since the fall of Communism, nor has it designed a coherent national housing policy. Instead, Romania has been pre-occupied with the criteria of joining the EU, and changes in civil service tasks as well as in political power balances (Turcu, 2017). However, when the GFC hit in 2009, government responded with an austerity program (2010) for public salaries (-25%) and social benefits (-15%), except for the pensions (Soaita, 2017; Turcu, 2017). House and land prices boomed from the late 1990s to 2008. Even though they have halved as a result of the GFC, they still are important in comparison to income (Soaita, 2017), also because they picked up again as of 2011, also due to limited new construction (Bejan et al., n.d. Soaita and Dewilde, 2017; Turcu, 2017).

The housing policy returned to ownership policies, but even there the benefits were cut: in the pre-acquisition savings (*Bauspar*) scheme which led to a decrease in completions and borrowing for new construction collapsed (Bejan et al., n.d.). Furthermore, a VAT exemption limited to the smaller and less expensive dwellings was agreed to in 2009. Whether this measure encouraged new construction was not clear at the time of writing Bejan et al. (n.d.) state. A new government guarantee for mortgage loans for first-time buyers towards banks called Prima Casa (First House) was launched to stimulate new construction, but had a negligible impact (see also Turcu, 2017). Furthermore, new affordable housing initiatives focusing on people (instead of housing) were launched. Shared ownership or shared equity housing aims for social tenants to staircase up from renting to ownership, while the National Housing Agency (ANL) program focuses on young people (Turcu, 2017). Self-help affordable housing emerged as another new initiative, which does not always target those most deprived, while there is some activity in social rental supply with income-based rents, although also limited.

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32 A thank you goes to Adriana Soaita for helping to find relevant information.

### a2.3.2 Access to housing

Romania's current housing stock is in poor condition and in need of urgent renovation (Turcu 2017). Soaita (2014, 2017) signals a paradox of overcrowding and underoccupancy, while population decreased (14%) and the number of dwellings increased (14%) between 1992 and 2011 (see also Bejan et al., n.d.). Overcrowding still is high (though the subjective measure is lower than the European norm), and has not decreased for the at-risk-of-poverty population, contrary to those having an income above the 60% benchmark. On the other hand, Romania had 1.4 million vacant units in 2011, reflecting an increase in second or holiday homes, while Soaita (2017) identified an effective shortage of 174,000 dwellings in 2011. These units could be built in five years' time. Another 51 years will be needed to replace the 1.8 million dwellings built with substandard materials, like adobe, Soaita (2017) argues.

Generally, a larger share of the at-risk-of-poverty population is confronted with the risk of unaffordable housing; this includes the indicator of arrears on utilities and housing quality indicators. In the case of utilities, their share is also importantly larger in 2015 than in 2007.

Furthermore, social/public housing is practically no longer available as a result of privatisation. Also, as it is the responsibility of municipalities, funding has been signalled to be a problem (Turcu, 2017). Furthermore, the difference in rents with the private sector effectively locks in sitting tenants, while the affordable housing initiatives focus on the younger middle-class (Turcu, 2017). Therefore, social housing is not catering for the needs of the (very) low-income households (Bejan et al., n.d.; Turcu, 2017).

The conclusion about the insiders' advantage of the small social rental sector can also be extended to the homeowners, as Soaita (2017) argues, being outright homeowners, not having to pay any rent. Romanians therefore did not move house in the crisis following the fall of communism. Access to homeownership remained difficult resulting in overcrowding solutions (children remaining in the house, or renting out of rooms) in already small dwellings. As the new initiatives must be regarded as insufficient, Romanians are resorting to self-building, sometimes in incremental ways and or sweat equity.

Difficult access to social and affordable housing, as well as to homeownership delivers a larger reliance on private renting (Turcu, 2017). Tenant protection in private renting is low as usually no contracts exist (Bejan et al., n.d.). In this grey zone the dwellings are invisible for statistics and government, mainly because of the wish of the landlords to avoid paying taxes.

The communist heritage of under-investment has delivered insufficiency of dwellings in numbers, space, quality standards and materials, more so for the people that are considered to be at risk of poverty. Bejan et al. (n.d.) signal that it is three groups that suffer especially from housing problems: people living in rural areas, young people and Roma communities. The housing quality problems are predominant in rural areas (lack of utilities and substandard materials). Roma communities are increasingly being segregated (presumably cutting off opportunities in education, employment, etc.), while the young can be considered the outsiders, as in not having had any part in the historic growth of homeownership.

Hegedüs and Horváth (n.d.: 26) conclude about a constitutional right to housing that given the economic situation *'declaring an[d] enforcing a fundamental right to housing would probably [be] beyond ... realistic possibilities'*. Van den Nieuwenhof and Chert (2018) call for better statistics on homelessness, as well as the formulation of a national housing strategy allowing a government agency to provide rental homes for the disadvantaged households.

## **a2.4 The Netherlands<sup>33</sup>: deprivation unravelled according to dimensions of capabilities**

The owner-occupied sector dominates the Dutch housing market (70% of population in Figure 3.1). Based on households, social renting amounts to a share of 30% and private renting 14% (Ministerie van Binnenlandse Zaken en Koninkrijksrelaties, 2016). That renting dominated the housing market until 2000 can be explained by the large (largest EU) social rental sector which had been stimulated since the post-war period for broad segments of the population until far into this century. (Boelhouwer & Van der Heijden, 1992; Haffner et al., 2009, 2014a, c; Elsinga & Van Bortel, 2011).

Since the 1980s housing policy moved towards ‘the market’ in various ways). Increasingly, the aim became to reduce government involvement in the rental market and to allocate the risks of housing investment to private and non-profit actors. Financial ties between the government and the non-profit or social landlords, called housing associations, were cut in the 1990s. These were to operate as social entrepreneurs from then on. Furthermore, the option of renting out dwellings without government rent control was created at the higher end of the rental market: rental dwellings with so-called liberalised rents.

The reduction of government intervention in the rental sector did not quite follow suit for the owner-occupied sector, as homeownership’s favourable tax treatment was largely maintained in the past century.

### **a2.4.1 Recent reforms**

In this century, new policies that are giving more room to the market (‘marketisation’) were launched. The conservative-led governments that have been in office since 2010 have been aiming for a more targeted social sector and for achieving conditions that allow for better yields for investors in the rental segment with liberalised rents (Haffner et al., 2014c, 2016, 2017, 2018a).

First, the tasks for social rental housing providers were restricted to housing increasingly lower income households, while a landlord tax was introduced. The former measure was kicked off when the Dutch government introduced an income limit in the social rental sector as a result of state-aid negotiations with the EC (Section 2.2). The landlord tax applies to rental dwellings with a rent that is being regulated by the central government. The tax results in fewer funds available for investment and/or higher rent increases than otherwise would be the case. Housing allowances remained available for those tenants not living in a dwelling with a liberalised rent; e.g. a dwelling with a regulated rent.

Furthermore, government reduced rent control for the middle-to-higher rent segment of the rental market in order to allow for more attractive investment opportunities for commercial housing investors (Oxley et al., 2015; Whitehead et al., 2012, 2016). Most recently, the control of rents has been made stricter for social landlords than for private landlords (Rijksoverheid, n.d.-a). The possibility to sign temporary tenancy agreements resulting in less tenant security in defined situations was launched (Huisman, 2016), in a country where all rental contracts ran indefinitely.

In the aftermath of the recessions, the favourable tax treatment of homeowners could not be left out of the measures (Haffner et al., 2014c; Haffner & Heylen, 2016). Even though the pace of limitation is slow with a reduction of the marginal tax rate with 0.5 percentage point per year for the deduction of interest, the tax treatment has become less attractive; particularly for the more expensive homes and those tax payers that could deduct their mortgage interest against the highest tax rate.

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33 From Haffner et al. (2018a). The data for the Dutch case study were collected from two group discussions taking place in Rotterdam in the spring of 2017. In the first group meeting the six individuals from households who had difficulties making ends meet at the start of the RE-InVEST project (late 2015) joint by one new participant, discussed their experiences with (changes in) housing policies: how they evaluated the organisation of the housing provision, the city’s strategy, affordability of housing, and how one could be active in the provision of one’s own housing. In the second meeting, these disadvantaged participants discussed the topic of affordable housing with the other participants of this case study: six representatives from political parties, local government and social rental housing providers. The group split up in three groups each consisting of participants from each of the identified actor groups. The groups analysed the situation on the housing market from the point of view of the occupier of the dwelling, the social rental housing provider and the local government, respectively. The analysis here is presented from the perspective of the disadvantaged households according to the anthropological dimensions or roles of doer, receiver and judge (Section 1.1), as developed by Bonvin and Laruffa (2017).

Last, but not least, government started promoting the participation society, intending to shift responsibilities for personal initiatives to citizens by moving in the direction of a safety net welfare mix for those that cannot take part in the new society (Rutte, 2014; Blommesteijn, 2015).

#### **a2.4.2 Access to housing**

These developments in a welfare state towards more of a focus on safety net provision can be described as a move away from a universal right to an adequate housing standard (Bengtsson, 2001). Such a right can be considered to have been effective in the last century when large segments of the population had access to affordable housing and there was broad societal (and political) support for this policy. This broad support resulted in the co-construction of the definition and implementation of acceptable housing standards in terms of quality and affordability, largely by means of providing social rental for broad segments of the population, rent control for social and private renting in combination with a system of income dependent housing allowances for renting.

EU-SILC data shows that a larger share of the population with a lower income is tenant rather than owner-occupier (Eurostat, n.d.; Haffner & Elsinga, 2015; Haffner, 2018 forthcoming). Of those larger shares live in worse quality dwellings and have more of financial problems in relation to paying housing and utility bills. The GFC is likely to have impacted on the arrears: the shares of population with arrears in rent, mortgage costs and utility costs are higher in 2015 than in 2007.

#### **Receiver**

Analysing housing deprivation as a multi-dimensional phenomenon in terms of dimensions or roles of the capability set, the views of the participants of the Dutch case study on the receiver dimension concluded that the housing situation was still doable (see also Haffner et al., 2016, 2017). The disadvantaged participants were living in a dwelling, which was still deemed doable and affordable. Rental contracts are indefinite, while rents are controlled. However, they noted that income had declined as result of austerity measures following the GFC, and costs generally had risen, as well as the bureaucracy when applying for housing allowances. Therefore, as receiver of assistance, the vulnerable participants worried about the future and the impact of the total of all austerity measures, also outside the field of housing, while income generally stagnated. They considered a move to another dwelling in the city centre as not realistic. A clear erosion of their capabilities was considered to have taken place.

#### **Judge**

From a human rights' point of view, the disadvantaged participants' observation that housing in the city is in the process of becoming a luxury good. The participants also observed that the 'commercial' interests seem to dominate the social interests. The more difficult access to an adequate standard of housing therefore curtails their options to choose. In the sense of human rights functioning as part of the resources of households to support disadvantaged people in particular to realise their capabilities, the access to the right to adequate housing is considered to be impeded. These developments resulted in the process of decreased access to decent and affordable housing.

The disadvantaged participants identified a chain of causes for this outcome. The increase of the Dutch population from 10 million in the 1960s to 17 million now has contributed to the pressure on the house prices in cities. New housing (to be realised), therefore, is predominantly expensive housing, also because of the building regulations.

On the other hand, affordable housing is to be demolished and/or renovated so that it can be rented out room wise for higher rent in total per dwelling than an affordable rent, delivering a higher return to the investor. In light of these developments, the disadvantaged participants evaluated negatively from the points of view of housing affordability and availability of dwellings the plans of the municipality to demolish 20,000 social rental dwellings and replace them with better quality and more expensive dwellings. This would



lower the supply of affordable dwellings, while the competition for the remaining affordable dwellings would become fiercer at the same time.

The extent to which the value judgements of the participants (particularly those coping with a low income) were taken into account in local policy was more difficult to evaluate. Several of the participants with a low income were united in a poverty network which organises meetings, provides information, are in contact with local government and provides practical help to those in need. Some of those roles are directly related to housing becoming more of a selective and means-tested right rather than a universal one based on solidarity in the society. They are all related to a participation society which the government that came into office in 2012 introduced: taking responsibility, be self-reliant and independent.

However, the participants observed that it is often difficult to activate people. A case in point is the 2017-referendum that the city of Rotterdam organised about the 2016 housing strategy document, which announced the demolition of 20,000 affordable units (see above). One of the reasons that it was difficult to activate voters was assumed to be the fact that the housing strategy document did not make clear the location of the dwellings that were to be demolished (and therefore the tenants to be affected). Possibly the limited interest in the referendum was also caused by a general feeling of ‘not being listened to’.

Austerity measures taken in social security and long-term care led by a Conservative Prime Minister in response to the impact of the GFC have reinforced these trends. In the field of housing, the accompanying trend, which was kicked off already before the crisis, was the one towards marketisation (see previous sections). When the economy picked up again, the effects of speculation and gentrification were impacting – limiting – the housing choices of the lower- and middle-income households in Rotterdam, the disadvantaged participants observed.

#### Doer

For the doer, the participants generated ideas on how to access affordable housing and how to lower housing costs. These options widened the capability set of the disadvantaged households. The disadvantaged participants had used several options when the financial situation was difficult (see also Haffner et al., 2016, 2017): being one month in arrears with the rent, borrowing on the credit card and/or reaching agreement on payment schedules when repaying benefits. Participants found knowledge about the opportunities offered by the system increasingly indispensable.

Seeking a rental home that needs work (do-it-yourself) was suggested as one way of reducing housing costs in order to access a dwellings in a neighbourhood that otherwise one would have had to consider as a luxury (‘too expensive’). However, this does require, not necessarily material goods, but a certain set of skills, personal conversion factor, being the ability to carry out the do-it-yourself activity. It also requires negotiation skills for discussing renovation options with the social landlord in exchange for lower rents. Last, but not least, it requires knowledge to know when an expert needs to be hired.

Other options that participants listed to reduce housing costs were numerous. What was called *‘right to challenge’* was discussed in diverse variations: Challenge the landlord, the government or the energy company to do tasks more cost-effectively; trade-off of service tasks (cleaning the hallway) (not popular) or repairs and rent/service costs. In the latter case one can do this together with neighbours, helping each other or exchange help or goods via barter, or bring together people who can and people who do (short: *‘Can? Do!’*). Training tenants as energy coaches to spread knowledge and strengthen social networks to effectuate emancipation were reported not to be so successful in Rotterdam.

Furthermore, participants offered ‘do-it-yourself’ housing options, like sharing the dwelling (with brothers and sisters), shopping collectively (for example solar panels, but also normal groceries), promoting collective intelligence in the neighbourhood (vloggers) and help each other with information; making dwellings energy neutral or making dwellings generate energy, or trading dwellings horizontally (more suitable dwelling without rent increase).

The participants weighed a number of options of action as more realistic than others, if a person is active. Sharing was argued to become more important in the next economy with a focus on trading instead of owning. Participants, however, put the question on the table whether people indeed want to share so much.



Furthermore, sharing a dwelling was said to run into legal barriers preventing solutions. Recipients receiving welfare benefits will lose part of those benefits once they live together (e.g. parents and children). Also, rules prevent one from renting out a room in a social rental dwelling.

For many of the ideas, the key input that was put forward was acting together, either voluntarily with like-minded individuals in formal (tenant client board) or informal settings (poverty network, neighbourhood centres), or in more dependent relations on social organisations (social landlords) or local government assistance. (Local) Government (less regulatory pressure, more assistance for those who cannot manage themselves, more focus on needs, more transparency, more reliable, less restrictive towards social landlords), as well as social landlords (take the maximum opportunities that policies leave, co-operate with the tenant to strengthen the voice) can also still contribute to increasing the capability set of households in need, was a conclusion that all participants supported. The participants concluded that housing needs will be better fulfilled, if the capability set is widened by taking advantage of options to cooperate.

### **In conclusion**

As Dutch housing policies have moved in the direction of ‘more market’ and more targeted aid, weakening the traditional universal implementation of the social right to housing (rent control, subsidisation, indefinite rentals). On a macro level, the outcomes may not be of worry (yet), even though those households living in poverty are usually worse off than those households that are not. But on the micro-level these developments imply that sitting tenants and owner-occupiers are relatively protected by long-term rental and mortgage contracts, as well as financial aid in terms of housing allowances and subsidies for owner occupation, respectively, on the one hand. On the other hand, increasingly outsiders can no longer move into central urban areas because of a lack of affordable and adequate housing.

This gap between insiders and outsiders reinforces the gap between generations; certainly, if disadvantaged groups are involved. The gap has been shown to re-inforce the move in Dutch society from cohesion to anonymity (Haffner et al., 2016, 2017). The question whether the social right to decent housing will remain adequately served and guaranteed by legal requirements in the longer term or whether the floor of social protection is reached remains unanswered.

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34 n.d. stands for not dated.

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## RE-InVEST - Rebuilding an Inclusive, Value-based Europe of Solidarity and Trust through Social Investments

In 2013, as a response to rising inequalities, poverty and distrust in the EU, the Commission launched a major endeavour to rebalance economic and social policies with the Social Investment Package (SIP). RE-InVEST aims to strengthen the philosophical, institutional and empirical underpinnings of the SIP, based on social investment in human rights and capabilities. Our consortium is embedded in the 'Alliances to Fight Poverty'. We will actively involve European citizens severely affected by the crisis in the co-construction of a more powerful and effective social investment agenda with policy recommendations.

<http://www.re-invest.eu/>

### Co-ordinators

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